IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
Eugene, Oregon Division

Andrew Clark, Plaintiff
3270 Stoney Ridge Rd.
Eugene, OR 97405 541.510.3915
OperationSunriseLaw@gmail.com

Wells Fargo and Company
420 Montgomery St. San Francisco, CA 94163
as Voluntary or Mandatory
Intervenor for Plaintiff

Civil Complaint Case:

Private Clayton Antitrust Action for Relief of Damages Caused by Sherman Antitrust Act Violations.
Relief per Racketeering Influenced Corrupt Organization (RICO) Statutes.
42 USC 1983; Civil Rights Violations.

Pleading of Special Matters per FRCP 9
Filed February 15, 2020. Jury Trial Requested.

vs. Defendants:

Wells Fargo Bank
420 Montgomery St.
San Francisco, CA, 94163

Ogletree Deakins Nash Smoak Stewert
C. Matthew Keen, Managing Shareholder
4208 Six Forks Rd Suite 1100
Raleigh, NC 27609

Oregon State Bar Association
16037 SW Upper Boones Ferry Rd
Tigard, OR 97224

Leah C. Lively
c/o Davis Wright Tremaine LLP
1300 Southwest Fifth Avenue, Suite 2400
Portland, OR 97201-5610

Defendant List Continued on Next Page

David P.R. Symes
c/o Littler Mendelson P.C.,
121 South West Morrison Street Suite 900
Portland, OR 97204

Christopher Mixon
Ogletree Deakins
401 Commerce Street Suite 1200
Nashville, TN 37219

Michael Hogan, Hogan Mediation
PO Box 1375
Eugene, OR 97440

Alex Gardner, Forensic Services Div.
Oregon State Police
3565 Trelstad Ave. SE
Salem, OR 97317

Erik Hasselman
District Attorney's Office
125 E 8th Ave
Eugene, OR 97401

Steven Seymour
Samuels Yoelin Kantor LLP
111 SW 5th Ave #3800
Portland, OR 97204

Christian Rowley, Seyfarth
560 Mission Street #3100
San Francisco, CA 94105-2930

Benjamin Gutman, Solicitor General
Appellate Division, Oregon Dept. Justice
1162 Court St NE
Salem, OR 97301-4096

Barry Davis
31660 Fox Hollow Rd.
Eugene, OR 97405

David Campbell, Lewis Brisbois
888 SW Fifth Avenue Suite 900
Portland, OR 97204

Bruce Newton
711 Country Club Rd.
Eugene, OR 97401

Peter Urias, Seyfarth
560 Mission Street #3100
San Francisco, CA 94105-2930

Ellen Rosenblum
Attorney General for Oregon
1162 Court St NE
Salem, OR 97301-4096

Sabastian Newton Tapia
Attorney for Lane County
125 E 8th Ave
Eugene, OR 97401

Ben Miller
Attorney for City of Eugene
125 E 8th Ave
Eugene, OR 97401

Vanessa Nordyke
DOJ Trial Division
1162 Court St NE Salem OR 97301

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Meet me in the police car video on my way to jail: www.RisePatriot.com

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Declaration of Andrew Clark: Pleading of Special Matters in Accordance with Federal Rules of Civil Procedure Nine. (FRCP 9) which starts on page

RICO CRIMES COMMITTED AND CONCEALED BY THE RICO ENTERPRISE

Venue and Jurisdiction: This court is a correct venue and also has jurisdiction to adjudicate the facts and evidence in this case, which were obstructed by Defendants and never heard by the court. My damages and the financial relief I seek both exceed $75,000. Defendants are urged to look at the Prayer for Relief that was crafted in the spirit of Yates vs. United States, a 2015 Supreme Court case.

Summary of Factual Basis – Wells Fargo Employment Retaliation

I was a lowest level Wells Fargo worker for the last two years of my destroyed career. I reported sales system fraud and other business problems internally to my management.. Internal retaliation was highly illegal and required reporting as a federal crime. I became a Federal Witness in May 2011 while still employed when I was admitted into the Eugene Oregon FBI office to deliver a crime report along with detailed evidence.

Wells Fargo retained Ogletree Deakins Nash Smoak and Stewart (employment attorneys) while I was still employed. Ogletree Deakins attorneys committed or arranged the RICO crimes against me, including a SLAPP-suit used as the basis to conceal evidence of what they perpetrated against me. I promptly filed more in-person crime reports along with evidence at the local FBI office and mailed copies to Wells Fargo, Ogletree Deakins, and various government agencies. Since then I have been the victim of repeated acts of Tampering and Intimidating a Federal Witness (serious federal felonies: 18 USC 1512 and 1513). The false arrests and jailing using co-opted local police as agents of Defendants are Mafia-style violations of 18 USC 1201: armed kidnapping of a Federal Witness. Wells Fargo via its attorneys committed major, ongoing fraud of the court case management system and corruption of state and local government processes to conceal the perfect evidence against them which includes police a/v inside my home and inside police headquarters. Hear police reporting back to Wells Fargo's corporate security manager in Portland after rousting me at home.

Genuine RICO, including Hobbs Act violations (18 USC 1951), was concealed in courts via pervasive public corruption, both perpetrated almost entirely by Oregon State Bar Association member attorneys who established rules over time that allow them to do whatever they want and conceal it in simulated, color-of-law legal processes. The court audio recordings are shocking. As a mostly-true anecdote, the Salem Witch Trials operated off better facts and evidence than what is heard in any of the court audio recordings or transcripts.

Continued next page

A Clayton Act Action for Relief from Sherman Act Violations: A Civil Complaint for Violation of Federal Racketeering Statutes and Civil Rights Violations. Ongoing Obstruction of Due Process of Facts and Evidence in this Banking Employment Retaliation Case Via Defendant's Fraudulent Use of Official Systems and Public Corruption.

In Spectrum Sports, Inc. v. McQuillan 506 U.S. 447 (1993), Supreme Court said:

> *"The purpose of the [Sherman] Act is not to protect businesses from the working of the market; it is to protect the public from the failure of the market. The law directs itself not against conduct which is competitive, even severely so, but against conduct which unfairly tends to destroy competition itself."*

There is no actual competition when a corporation has a proven ability to hire attorneys who inflict false arrest and various other acts of violent tampering to achieve monetary or political objectives. The most basic laws and civil rights of any Citizen are shown to be easily negated by justice industry workers who improperly or fraudulently used low-level justice systems to commit and conceal a series of RICO crimes against me.

Parties to this Civil Complaint and Causes

1. Wells Fargo and Company is listed as a Mandatory Intervenor in my behalf. Wells Fargo and Company (WFC) policy and training strictly prohibits the described conduct of its subsidiary Wells Fargo Bank and its agents who all violated the Wells Fargo and Company Rules of Professional Engagement. Their coercive and conniving activity has the same result as armed Wells Fargo bank robbery that leaves wounded victims… except pretexted or wrongful attorney fees vastly exceed losses from bank robbery.

2. Wells Fargo Bank, Ogletree Deakins, and Oregon State Bar Association are being sued under relief provisions of the Clayton Antitrust Act: violations of the Sherman Antitrust Act for creating, permitting, or using a business model that includes physically, financially, and emotionally ruining lowest level workers and then obstructing evidence along with justice in all courts. As demonstrated in this case, the Oregon Bar Association ignored and obfuscated my complaints and there is no apparent way to enforce Oregon's laws governing attorney conduct.

3. All Defendants are being sued under RICO Statutes. Violent and capricious RICO crimes were committed against me by Ogletree Deakins attorneys and their agents. Other attorneys, almost entirely members of the Oregon State Bar Association, abused court systems and processes in attempts to cover up what their fellow Bar members perpetrated against me. It appears Defendant Wells Fargo Bank sponsored the activity and paid for it.

4. All Defendants are being sued for ongoing civil rights violations. My First Amendment obligation to speak rightfully of personal harm and evidence that could affect any other citizen was violated. The State is obligated to provide due process of those facts and evidence in a court of equity. Due Process and equity was replaced with broken court software that allows external attorneys to generate robotic "orders" without any court hearings. Local court systems such as Lane County's Risk Assessment Tool permitted massive arrest and jailing by low-level justice system workers committing obvious system fraud.

5. These individual Defendants are being litigated for arranging or participating in a physically violent RICO enterprise that committed and concealed their crimes against me. The detailed *Pleading of Special Matters* explains the role of each actor-Defendant and what the Enterprise perpetrated and then obstructed in the courts. As previously stated, the PACER record includes all those obstructed facts, copies of evidence material, and a lot more. Here are the names along with a brief summary of their role in the RICO Enterprise perpetrated and obstructed by corporate defendants in violation of the Sherman Antitrust Act.

Leah C. Lively c/o Davis Wright Tremaine LLP
1300 Southwest Fifth Avenue, Suite 2400 Portland, OR 97201-5610

Ms. Lively was the primary contact for Ogletree Deakins and she no longer works there. Her activity is detailed throughout the FRCP 9 pleading. She currently holds an illegally obtained stalking protection order against me but as noted below may not be aware of it. <u>It was awarded as a coerced third party benefit under color of law and under color of official right which is a textbook violation of the Hobbs Act violation (18 USC 1951) described in the Pleading of Special Matters</u> and well-evidenced with the letters (**Exhibit 8**) Steven Seymour mailed which are in PACER and obstructed by Defendants.

Portland employment attorneys claimed an “imminent threat” to them. They did not call Portland police, instead they called Eugene police 100 miles away where they had been working for months (based on the letters) to criminalize me. Any experienced “internal affairs” law enforcement agent will instantly recognize it is an example of manufactured crime involving fully documented public corruption.

Regarding the communications stalking protection order: I have no evidence Ms. Lively was aware *in advance* and I have a small piece of evidence suggesting it was being done behind her back as described within **Exhibit 8**. It does not diminish her culpability but here is why I think Ms. Lively may not be aware of what Ogletree Deakins perpetrated using her name:

1. Leah Lively was, per her company bio, an ex-Multnomah County Oregon prosecutor. She would be fully aware that Defendant Mixon's letters from Nashville TN (within **Exhibit 8)** do not comport to Oregon's communications stalking laws if she had seen them in advance.

2. Ms. Lively never called me or wrote (from her secure office tower 100 miles away) to complain and per job descriptions found online, clerical staff at Ogletree Deakins retrieve material from fax machines.

3. Per news articles, Ms. Lively was married at the time to a law enforcement agent in the Portland area. Oregon has laws that seal their public records so it is not usually possible to determine where they live. I never looked because that would be rude, wrongful, and devious unless I was an attorney.

4. Based on my observations, Ms. Lively would not willingly allow others to portray her as a victim. She would have personally applied for a protection order in accordance with the law if she actually felt stalked via communications.

David P.R. Symes c/o Littler Mendelson P.C.,
121 South West Morrison Street Suite 900 Portland, OR 97204

Mr. Symes was the Ogletree Deakins Managing Partner of the Portland Office. He and Ms. Lively took turns as the primary Ogletree Deakins contact. He was responsible for the activity of the Portland office at that time. Curiously, after over a decade at Ogletree Deakins-Portland, he was the first to leave and work elsewhere.

Christopher Mixon General Counsel, Ogletree Deakins
401 Commerce Street Suite 1200 Nashville, TN 37219

Mr. Mixon was the person who arranged and/or is responsible for the 2013 false arrest and Hobbs Act violation (18 USC 1951). He was the one who transmitted across state lines and in writing the bogus threat reports against me (**Exhibit 8**) that lead to the 2013 false arrest and the resulting Hobbs Act violation described in the detailed pleading of special matters.

Exhibit 8 shows that Mr. Mixon interpreted Oregon's stalking laws and communicated his opinion to local authorities. Per Oregon State Bar records, Mr.

Mixon is not licensed to practice law in Oregon but that is what he did. Mr. Mixon and Ogletree Deakins as a corporate entity are responsible for the Ogletree Deakins business model of smearing and criminalizing defenseless, unemployed lowest level workers. **Exhibit 1** indicates a much bigger problem due to the way Ogletree Deakins co-opts and causes others to fraudulently use official systems.

Ogletree Deakins could benefit their firm and all of America by joining me on the New Wells Fargo Stagecoach over at www.TheEugeneBlairProject.com. Their corporate use of smearing and false arrest against lowest-level workers strongly indicates they "know all the tricks" and would know how to prevent such tactics industry-wide in the future.

Michael Hogan, Hogan Mediation PO Box 1375 Eugene, OR 97440

Mr. Hogan ran a longstanding "Mediation Mill" out of his District Court Judge's Office. His corruption set the tone for Oregon's justice for decades. Transcripts from the Wells Fargo SLAPP suit 6.11.cv.06248.ho are in PACER and were submitted to the other cases showing total abdication of his court to Ogletree Deakins and Leah Lively. The third hearing transcript shows him actively selling me on his mediation service. Then he also engaged in failed, bogus "mediation" in clear violation of 28 USC 455. I am hopeful that Mediator Hogan will join me by agreeing that the 45 minute session in July 2012 was not actual mediation.

Here is why I believe Mediator Hogan at Hogan Mediation Services should complete the mediation he sold me on in the third hearing of 6.11.cv.06248.ho: He became aware at our first session that his activity in my case of disputed evidence would violate 28 USC 455 and he simply stopped and then retired. No party asked him (prior to this) to complete the failed mediation so he is probably waiting patiently for an order or a request.

Alex Gardner Forensic Services Division Oregon State Police
3565 Trelstad Ave. SE Salem, OR 97317

Alex Gardner was the District Attorney when the 2013 false arrest and Hobbs Act Violation was perpetrated. He was responsible for preventing what ex-Prosecutor Erik Hasselman did to me but at the time he was engaged in a well-publicized career transition. In his current position, he has the knowledge and resources to investigate enough to understand the serious nature of the major federal crimes in which he vicariously participated. Like all the other State's attorneys and officials in this case, he refuses to confer and does not return telephone calls, emails, or letters.

Mr. Gardner could benefit State of Oregon and all of America by joining me on the New Wells Fargo Stagecoach over at www.TheEugeneBlairProject.com. He has a unique combination of experience and knowledge, together we can go far.

Erik Hasselman District Attorney's Office
125 E 8th Ave Eugene, OR 97401

Erik Hasselman was the Major Violent Crimes Prosecutor who is caught in written letters arranging the false arrest with Steven Seymour, agent of Ogletree Deakins hired to arrange their Hobbs Act violation. He is, perhaps, the very most guilty criminal in the bunch. He used his knowledge, position, and intimidation in the most illegal ways possible. Law enforcement should be asking him to explain why he met with Wells Fargo's employment attorneys months in advance and how he was coerced or tricked to file 10 exactly duplicated charges of stalking a corporation (Ogletree Deakins) and Leah Lively. Complete record of this situation is in PACER.

His demonstrated public corruption at an expert level. That indicates he would be an excellent resource to access for methods to prevent wrongful and bogus convictions. Mr. Hasselman could benefit State of Oregon and all of America by joining the New Wells Fargo Stagecoach at www.TheEugeneBlairProject.com.

Steven Seymour Samuels Yoelin Kantor LLP
111 SW 5th Ave #3800 Portland, OR 97204

Mr. Seymour was hired by Ogletree Deakins to arrange the 2013 false arrest and is shown in written letters fabricating a threat used to false-arrest me. He is a key participant in the 2013 Hobbs Act Violation. His activity was analogous to Ogletree Deakins hiring a "hitman" to murder me. They manufactured crime from absolutely nothing as described in PACER documents then used it as the basis of a coerced stipulated agreement that awarded third party benefits under color of law in violation of The Hobbs Act… 18 USC 1951 a predicate act to RICO.

Christian Rowley, Seyfarth 560 Mission Street #3100
San Francisco, CA 94105-2930

Wells Fargo Bank hired Mr. Rowley starting with case 6.13.cv.01546.aa. He repeatedly refused to confer on evidence. Instead he filed boilerplate obstructive pleadings completely devoid of a factual basis. The result of his activity was facts and evidence were systematically obstructed and I was denied any form of due process in the primary or appeals court. He is also responsible for the illegal, unethical activity of his assistant (Peter Urias) and his pro hac vice.

Benjamin Gutman, Solicitor General Appellate Division, Oregon Dept. Justice 1162 Court St NE Salem, OR 97301-4096

Mr. Gutman holds a law degree from Yale so I was never able to speak with him. He continues to refuse all telephone calls and does not respond to letters. Mr. Gutman was used by State of Oregon to obstruct facts and evidence in the 9th Circuit Court of Appeals presented by an Oregon citizen. There is no valid reason for State of Oregon to have wasted immense resources to obstruct the hearing of facts and evidence relating to misconduct of its employees but...they did. It was most profitable to the involved attorneys.

Ellen Rosenblum Attorney General for Oregon
1162 Court St NE   Salem, OR 97301-4096

I used certified mail to Ms. Rosenblum as required by law when suing the State. That also was to make her aware of what her staff were perpetrating in her name. Like Benjamin Gutman, Ms. Rosenblum refused to answer telephone calls and does not respond to emails or letters. Ms. Rosenblum lacks any form of “immunity” as she did not perform her job function in this case. Instead per news reports at the time, her office was working with Wells Fargo to obtain tens of millions of dollars from the bogus account scandal settlement to the States in exchange for not investigating Wells Fargo. Based on her lack of communication and lack of any apparent accomplishments, she appears to be a figurehead who is paid a large amount of money to obfuscate everything. If Ms. Rosenblum was removed from office tomorrow only a few immediate staff would notice or care.

Vanessa Nordyke DOJ Trial Division
1162 Court St NE Salem OR 97301

Ms. Nordyke was State’s attorney for 6:14-cv-01103-jr. She refused any for of discussion or conference on the factual basis. She submitted boilerplate pleadings to obstruct the due process of facts and evidence I submitted to that court. It appears State’s obstructive response was hired out to private sector attorneys who wasted taxpayer money compiling the standard boilerplate. By coincidence, she was named President of the Oregon Bar Association the following year.

David Campbell, Lewis Brisbois
888 SW Fifth Avenue Suite 900 Portland, OR 97204

(and)

Peter Urias, Seyfarth
560 Mission Street #3100 San Francisco, CA 94105-2930

Mr. Urias and Mr. Campbell were the attorneys who submitted a forged judge's order into PACER for case 6:14-cv-01103-jr that directly led to dismissal of case without any form of hearing or discussion of the factual basis. All other defendants participated in the highly illegal results of their forgery.

Sabastian Newton Tapia Attorney for Lane County
125 E 8th Ave Eugene, OR 97401

Mr. Newton-Tapia played a very devious game that is fully documented in PACER. He wrote me letters and conferred with me. Then he lied to the court saying Lane County was not properly "served" and they were. The court staff accepted his lie and of course no aspect of the factual basis was ever adjudicated.

Ben Miller Attorney for City of Eugene
125 E 8th Ave Eugene, OR 97401

Mr. Miller also played a devious game to obstruct facts and evidence in the courts. In case 6:14-cv-01103-jr he filed a set of motions that allowed City of Eugene to not respond at all to that Complaint.

Barry Davis 31660 Fox Hollow Rd.   Eugene, OR 97405

Barry Davis is the attorney I hired to file an appeal of 6:11-cv-06248-ho. He stole over $10,000 in fee deposits and did not provide invoices. He did next-to-nothing and did not file a 'Notice of Appeal' which is what he was hired for. He was given more money for handling a very small 'family court' matter. He essentially stole that money as well. Based upon online reviews my experience is shared by many others. He trolls internet for clients, obtains deposits by telling hopeful lies to potential clients, then he steals the money by sitting at his home office doing little-to-nothing. Oregon Bar Association helped him steal the money by endlessly obfuscating my formal complaints.

Bruce Newton 711 Country Club Rd #200
Eugene, OR 97401

Mr. Newton's is my ex-wife's divorce attorney. See detailed factual pleading, items 55 -63. He is named as a Defendant because he (and the court) was fully aware of my job situation yet persistently lied in court claiming a particular intangible asset was a source of cash. That resulted in spousal support staying at $5,500 (five thousand five hundred dollars) per month despite no income and made me pay her $9,800 attorney bill for the color-of-law State sponsored abuse of me. Then they tried three times to seize my house, despite the fact my ex-wife already has several, including a gated mansion while I have a relatively modest home.

It was timed to create maximum harm to me which diminished my ability to respond to the Wells Fargo/Ogletree Deakins SLAPP suit and the false arrest. I feel Bruce Newton was an *active, knowing participant* in the RICO enterprise but do not have evidence, which would likely have been a phone call. What is clear is Mr. Newton's *vicarious participation* in the RICO enterprise.

Nobody would want to be treated as Judge Valerie Love or any of the judges did to me. The court audio is on www.WellsFargoWitz.com. Mr. Newton had a greater duty to his client and the court to fully report the sudden and dramatic interface of family court with the criminal/civil courts. Instead he continued to lie and stole over $125,000 in legal fees from my family to endlessly adjudicate a flawed "marriage settlement agreement" he wrote and conned me into signing in his office long ago entirely based on his self-serving LIES and my misplaced trust.

The activity of Bruce Newton and his partner William Bromley in my case is nothing short of stealing from me for years and methodically making statements in court that seem like he is setting up my assets and estate for later plunder.

Mr. Newton could benefit State of Oregon and all of America by joining me on the New Wells Fargo Stagecoach over at www.TheEugeneBlairProject.com. He has a unique combination of experience and skills of the many ways to use family courts to abuse citizens. That expertise can be accessed for ways to prevent such abuse of citizens in the future.

Statute of Limitations Has Not Started Tolling: All criminal activity and obstruction occurred within the last 10 years and continues: obstruction or manipulation of justice to conceal discovered evidence is a continuing RICO crime and/or a Sherman Act violation. My case indicates an immense national problem with America's completely unregulated attorney industry The cause for a Clayton Action continues to be amplified. 'Smearing' and 'false arrest, aka SWATing' and lack of meaningful recourse are nation-ending problems. The blind faith in crudely programmed, easily cheated low-level computer systems is a relatively new (and possibly terminal) problem for humanity.

PACER Records are Completed Discovery
IMPORTANT NOTICE TO DEFENDANTS AND LAW ENFORCEMENT
<u>Obstruction of Justice is an Ongoing RICO Crime</u>

I put copies of evidence material into court on multiple occasions. Formal authentication and 'discovery' by the court was obstructed by Defendants as recorded in PACER records of the below case numbers. Now, formal discovery can be drawn entirely from the PACER record because it shows Defendants used a generic legal response that obstructs and impedes due process of **<u>any</u>** set of facts and evidence presented by a Citizen-worker. PACER shows a completely simulated (a.k.a. color-of-law) legal process absolutely devoid of consideration for facts, evidence, or anything other than attorney's ability to perpetrate the most ghastly crimes against workers and conceal it in the courts for years, presumably at the expense of their clients and the public.

The detailed facts and copies of most evidence including a thumb-drive of the obstructed police audio/video is already in PACER and our local court systems such as OJIN. They are also posted **www.RisePatriot.com** and family court: **www.WellsFargoWitz.com**. Hear actual police and court a/v that shows how all processes were abused against me in concert with each other.

My factual pleadings are those of a badly damaged, outraged lowest-level worker/ citizen doing all possible to have facts and evidence subjected to Due Process in the courts. Defendant's pleadings are boilerplate legal forms, devoid of relationship to facts and evidence. It is vacant paper that supports the 'color-of-law' legal processes carried out in unedited case management systems, all of which encourage dismissal based upon the way they are "scored" regardless of facts/evidence. These are the court records:

6.11.cv.06248.ho Wells Fargo's Emergency SLAPP suit against me in 2011…. an unemployed lowest level worker. I was sued over nothing. Ogletree Deakins SLAPPED me after SWATTING me. That was the mediation mill and "court" of retired mediator/Judge Michael Hogan. Ogletree Deakins sealed major parts of the PACER record to conceal their crimes and lack of knowledge. I paid a local attorney (Defendant Barry Davis) to file an appeal and he did not; instead he stole over $10,000 from me in "legal fees". I reported it to the Oregon State Bar and they actively worked with Barry Davis to hide the fact that he literally stole the money and did not provide invoices or services.

6.13.cv.01546.aa 14-35622. My first damage recovery lawsuit and appeal.
6:14-cv-01103-jr 17-35247. My second damage recovery lawsuit and appeal.
The audio recordings and local justice system records from State of Oregon's circuit court information system. Wells Fargo and its attorneys used the unedited criminal prosecution systems here in Lane County to commit repeated false arrest and other tampering.

Prayer for Relief

The following items are some suggested items of relief. The Supreme Court's reasoning in the 2015 case Yates vs. United States provides a legal basis for any form of collaborative solution. We have a lot of opportunity and alternative dispute resolution can help us maximize Progress for all.

Declare that Defendants have and are violating Plaintiff's fundamental constitutional rights to life, liberty, and property by committing and concealing evidence of various acts of tampering and long-term legal battery.

Declare that Defendant Ogletree Deakins self-generated fee billing (Docket 137 in 6:11.cv.06248.ho) and all accrued interest is an example of a violation of constitutional rights to due process.

Order Defendant Ogletree Deakins to withdraw the aforementioned fee billing and ensure it is removed from the credit reporting agencies.

Order an internal investigation of District Court of Oregon's fee awards in that timeframe.   Where there is one there is likely to be many others, particularly for large corporate and government clients who typically just pay the bill.

Order Defendants Ogletree Deakins and/or Leah Lively to file with Oregon's circuit court a motion to dismiss the improperly-obtained stalking protection order that resulted from the (alleged) Hobbs Act violation.

Order Defendants Alex Gardner and/or Erik Hasselman to expunge all criminal and police records against Plaintiff relating to the 2011 and 2013 arrests.

Order Plaintiff-Intervenor and/or Defendants to individually and/or collectively pay Plaintiff the sum of $12 million representing compensation for services rendered and general economic damages.

Declare that communication stalking protection laws are only for use by individual citizens because a corporation cannot be stalked; just as a corporation cannot be raped, murdered, or poked in the eye with a sharp stick.

Declare that any system, policy, or rule applied to a Citizen must reasonably comport to the constructs of the underlying law. For example, in Lane County the Risk Assessment Tool (RAT) allows "bad faith" or fraudulent use of the system as a method to deliver full penalty of the law prior to and instead of trials. It allowed total circumvention of Oregon's law regarding grand juries and bail in my case. Another example: this court and the 9th Circuit Court of Appeals use a case scoring system that causes most cases to be administratively dismissed regardless of facts and evidence. Systems that directly or indirectly provide the color of law to such activity endanger the public and are unconstitutional.

Optional Relief Available to Defendants

Declare that based upon certain court pleadings and other facts, Plaintiff has been a Wells Fargo Agent since contractual employment ended in June 2011.

Declare all police and court records generated by this and preceding related cases to be a tangible result of a Wells Fargo & Company corporate project known to this Court since August 22, 2011 as "The Eugene Blair Project". Documents submitted to the court indicate it was coordinated by Wells Fargo Corporate Strategists, starting in April 2011 to control corporate risk.

Order Wells Fargo and Company to pay Leah Lively, David P.R. Symes, Christopher Mixon, Bruce Newton, Erik Hasselman, and Alexander Gardner $100,000 each for their contributions to The Eugene Blair Project.
Declare that project results are vast and will yield benefit to Defendants into the future, particularly Plaintiff-Intervener Wells Fargo and Company and other large corporations. Of immediate benefit is the next declaration.

Declare that corporate management and workers generally cannot and should not be held criminally liable for activity that is not reasonably within their control as the Sarbanes-Oxley legislation allowed. In this situation, a lowest-level worker performed specific reporting to a large number of federal agencies, including FBI. Employment attorneys clearly acting against the interests of Wells Fargo were able to prevent any form of investigation and were able to arrange mafia-style false arrest of the employee and then conceal it with simulated legal processes. `

Signed,

s/ Andrew Clark
Andrew Clark 3270 Stoney Ridge Rd. Eugene, OR 97405 541.510.3915
February 15, 2020. OperationSunriseLaw@gmail.com

Declaration and Pleading to FRCP 9 follows

Detailed List of Facts Presented in Accordance with Federal Rule of Civil Procedure Nine (Pleading Special Matters)

Declaration of Plaintiff Andrew Clark
I swear under penalty of law that all the below statements are true and based on evidence, copies of which has already been repeatedly submitted to PACER. I included a few key exhibits with this Complaint.

Foreword: Some of the below facts or statements are presented to provide complete context. For example, items 1 – 20 provide context of employment and the FBI reporting. All material facts are well-evidenced in PACER. Evidence includes hard-to-get internal police and court audio recordings. Most is linked via my various Websites, it was all obstructed from hearing. My primary evidence sites are: www.RisePatriot.com Family court: www.WellsFargoWitz.com

I was gainfully employed for nearly 30 years. My final two years were at Wells Fargo. In all my experience, "retaliation" was a vague excuse used by workers whose employment was terminated. "What are you being retaliated against for?" and "exactly what did they do to retaliate?" ...nobody could ever tell me. I learned the hard way, in spades.

Actual "retaliation" consists of extremely violent physical, emotional, and financial attacks in my case inflicted by Wells Fargo's employment law firm "Ogletree Deakins". As you will see, the legal assault is coordinated to destroy the worker-victim's ability to defend themselves. It is designed to destroy a victim's credibility and criminalize him. It is designed to financially and physically destroy the victim and his family. **Exhibit 1** is one of many available articles showing Ogletree Deakins was elsewhere involved in fee gouging and use of 'false arrest' tactics via system manipulation in the same general timeframe. The details of that case fully support allegations in this case.

Description of 2011 FBI Evidence Deliveries: My 2011 FBI/DOL Wells Fargo Operations Report had two main parts. The 150 page report filed 5.25.11 was devoted to well-evidenced problems I personally witnessed or was involved with in my workplace such as unpaid overtime and abusive sales practice. It is posted at: www.RisePatriot.com After police came to my home on 7.18.11 I updated my report with those and other matters and was again admitted to Eugene's FBI office to deliver that material 7.28.11 . I performed other in-person and via mail Reports to FBI including my 2014 USC 14141 reporting police abuse in Eugene OR.

Items 1 -20 are to provide background facts leading to the RICO Crimes

1. I worked at Wells Fargo Home Mortgage in Eugene OR from 2009 to 2011… the last two of my terminated 30 year career. I was commissioned and earned just over $200,000 in 2010, my final year which was consistent with the prior ten years. I had an excellent reputation among Realtors and Clients. I passed the CPA examination in 1985 and always worked in finance.

2. Immediately after being hired in 2009 I was required to enter my entire book of business…in detail…into a Wells Fargo Sales Support System. No prior employer ever asked that of me. It was required of all mortgage originators and enforced via a bombardment of emails from various layers of management so I complied. I felt it was wrong but soon was very busy finding and attempting to close the loans.

3. Every week all mortgage originators were compelled via bombardment of emails from various levels of management to input at least six "sales calls" into the Wells Fargo Sales Support System. I included a sample of those emails in my 5.25.11 FBI and Department of Labor filing while I was still employed. We were forced to enter all sales contacts as "in person". It was commonly discussed and openly rumored to be in support of our federal classification of "outside salesperson" when in fact almost all of our time was spent internally processing loans.

4. Effective April 1, 2011 I and all others in my position were once again compelled to sign updated Wells Fargo employment contract changes. The education requirement for Wells Fargo mortgage originator was <u>lowered</u> from "college degree" to "high school diploma". We became 'registered mortgage originators' under then-new "SAFE Laws".. It required fingerprinting and lifetime background check via FBI and I passed and was issued number: 423909.

5. We were also required to fill out timesheets which is virtually impossible for a highly successful commissioned mortgage originator who is 24/7 at the beck and call of Realtors and Clients. Overtime was paid at $12/hour but was recovered from future commission income. That created a situation involving unpaid overtime, delivered via a nationwide Wells Fargo payroll system. Lawsuits by others in 2013 finally identified what I reported in detail to Dept. of Labor (Portland OR Office) and local FBI Office on 5.25.11 and many different times after that. Among obvious facts that appear to have avoided scrutiny:

> **a.** The Wells Fargo nationwide payroll system was programmed and tested to perform the complex recapture of overtime. That presumably included careful review by attorneys who claimed it was legally sound when in fact it was an extremely devious method to achieve an illegal objective.
>
> **b.** The 2013 lawsuits resulted in tiny payouts…a few hundred dollars or less…to a fairly small group of employee-victims. The legal fees paid to the participating law firms appear to have reached into the millions of dollars. That situation is typical of other lawsuits. For example, in the recent well-publicized 'bogus account' scandal (I reported that among my 2011 FBI/DOL filings as did other employees)….most customers had no damages or harm yet it was brought into court in Los Angeles. The sole beneficiaries appear to be the attorneys.

6. April 5, 2011 Dodd-Frank disclosure and yield spread changes and the new employment contract created what I considered to be an illegal and immoral employment situation. Within two weeks it was painfully apparent from my Realtors that the Wells Fargo retail interest rate was ¼% higher than competition including affiliated companies such as Provident Savings. It had become obvious and certain with April 5, 2011 Dodd-Frank changes to Good Faith Estimate of Settlement costs which under Dodd-Frank at that time was construed to be a contract to lend money at a certain rate and fee.

7. In compliance with Wells Fargo policy of elevating matters quietly to the correct level I sent a detailed letter to Mark Oman, then SVP of the mortgage operation. It is attached as **Exhibit 2** (but without the 22 pages of technical proof of higher rate).

Division-wide the daily email bombardment suddenly came to pause. **My while-employed reporting was of serious banking matters but at every turn they tried to 'morph' it into imagined interpersonal nonsense.**

8. My manager scheduled a formal "Plan Review Meeting" with me. Several longtime workers told me they never heard of such a meeting and we did not have "plans" to review. It turned out to be the first obvious act of retaliation: I was yelled at and scolded for making a big deal out of longstanding business practices. I was told to quit if I did not like it at Wells Fargo. (*Remember…they had my book of business in their Sales Support System and Oregon is an 'at will' employment state*).

9. Internal retaliation for reporting started immediately via Des Moines Human Resource Dept. via telephone. Elise Reiser was my HR contact and she made me follow rules nobody else had to. For example, she would bug me endlessly about correct time sheet reporting but nobody else was similarly badgered or reviewed. My emails were all routed to her regardless of who I addressed them to. She told me that repeatedly. She would pick apart any email she could but nobody else was subjected to that.

10. My loans in process were subjected to special underwriting review out of the Wells Fargo Minneapolis headquarters which increased customer wait-times and lowered my income.

11. I reported various aspects of the business issues and the internal retaliation to Wells Fargo's Ethics Line three different times from April to June 2011 when I was terminated.

12. Retaliation for internal reporting consisted of extremely disparate treatment as described above. Elise Reiser in HR also pushed "Employee Assistance Program" on me and insisted I called them. I called to make them aware I was not in need of mental health services and I advised Elise Reiser of that.

13. I thought that perhaps some historical perspective would help Ms. Reiser understand that use of mental health resources to paint a person as 'crazy' is a crime against humanity even though it is apparently legal to do that to employees in the

United States. In an early May 2011 telephone call with Elise Reiser I explained to her what was happening to me seemed a bit like "Crystal Night," when all over Nazi Germany Jewish businesses and synagogues were badly damaged which portended what was to come. I told her and emailed her that "I felt like a Jew on a train to be burned". I have no religious affiliations but enjoy studying history.

14. Incredibly: a few days later Elise Reiser once again told me to contact Employee Assistance Program. She gave me a San Francisco telephone number of **Peggy Burns** who was then on Wells Fargo's tab. I found the last name to be hysterically funny on one hand but incredibly ghastly on the other. I googled and her website and practice was entirely devoted to conservative Christian/Catholic marriage and family counseling and she also advertised her Wells Fargo connection. I called Peggy Burns and told her Elise Reiser asked me to call but I was sure I did not need her services. She said "Oh but I think you do" and I hung up on her.

15. *Retaliation using mental health resources and retaliation involving perceived personal fears and perceived religious or ethnic affiliations required formal FBI crime reporting and evidence delivery of the underlying business issues. I started collecting evidence of the business realities and the retaliation by printing it from the Wells Fargo email and production systems.*

16. After I was done collecting and printing what I could and had my package all ready to file: I advised Elise Reiser I would be printing out material to file with Department of Labor and FBI. By the end of that day in May 2011 the Wells Fargo laptop was remotely de-activated. It would not even turn on.

17. I was admitted to the local Eugene Oregon FBI office to deliver my report and evidence on 5.25.11 and I overnighted a copy to Portland Dept. Labor which I confirmed arrived and had been assigned to a DOL worker. I also provided a copy to my manager.

Intimidation and Tampering of a Federal Witness Starts

18. Retaliation using fear tactics continued. Within a week I was working in the evening from home a small message appeared for a few seconds advising me I was connected to "Wells Fargo India Solutions" and the transmission speed was shown, which matched a common satellite video transmission speed. Remote activation of audio/video features of corporate devices was common and legal in 2011. I saw how it could be wrongly used and reported its abilities. I am sure Wells Fargo management would not like it in their homes.

19. Prior to termination in June 2011 I was emailed by Katie Johnson, another Wells Fargo telephone HR worker that I had a public record of a serious crime in Benton County, OR. I explained in horror that was incorrect and that FBI had performed a lifetime background check just a couple months prior and no such records existed. They insisted I drive to Benton County and obtain proof there was no criminal record. <u>Two</u> senior records clerks in Benton County examined all public records and found nothing under my name or any similar name. Corporate attempts to manufacture criminal records to retaliate is novel and required yet another call to the Ethics Hotline.

20. I also filed a Sarbanes-Oxley complaint with OSHA, which had just that month received the task of performing Sarbanes-Oxley investigations. My complaint was accepted and I received the confirmation letter in mail the day after I was terminated. Incredibly….after all of the above…Elise Reiser called me on June 28, 2011 to bother me some more and in sheer exasperation I finally told her to "go fuck herself and I that I will deal with it in court."

21. Oregon is an 'employment at will' state. I was subjected to insane retaliation for almost three months as described. I reported all operational aspects possible along with evidence printed from the Wells Fargo system. Business issues meant less-than-nothing to Elise Reiser in HR…her sole focus was innuendo, the more salacious the better. Within an hour of telling Elise Reiser in Des Moines to go fuck herself my employment was finally terminated on 6.28.11 which in Oregon makes job transition much easier.

Hello RICO. Hello Nuremberg. Deadly Tampering Starts.

22. I filed a post-employment complaint and was assigned to an HR Rep in Minneapolis named Timothy O'Hara. I complained about the bizarre internal retaliation including racial/religious slurs. Somehow, most likely via Ogletree Deakins, Eugene Police SWAT had the email a week later and are heard on police audio in my home using it as a reason to be there.

23. The police audio of July 2011 events described below was not available until late October 2011…after Wells Fargo/Ogletree Deakins repeatedly denied any possible involvement. I knew it all was recorded …. but it took months to obtain and process the data files. I never had a website until July 31, 2011 when I felt it necessary to preserve the evidence given what happened July 29, 2011. Lowest level workers learn fast.

Corporate Use of Police to Roust a Worker at Home at Night is a Terrifying Act of Tampering/Intimidating a Federal Witness

24. On July 18, 2011 I returned home in the evening to a police car parked near my house and saw two very large City of Eugene OR police officers in uniforms in my yard peering into my window. I was frightened and assumed a burglary in progress and drove up the street a few hundred feet, parked and walked back. As I approached, police identified me and told me they were there because Wells Fargo sent them to follow-up on an email and for a "well-being" visit. They told me I would be recorded. I invited them in and they maneuvered me into a chair in a corner of my own home.

Right after the police left, I called non-emergency police to file a complaint against the highly illegal visit by night police. I drove down to the police station and waited for the officers to arrive. While I waited I ordered and paid for the police dispatch records.
I spoke with police outside of their headquarters. I very specifically told them of retaliation. A transcript of that police interaction and the audio recording is in PACER and on **www.RisePatriot.com** or **www.WellsFargoWitz.com .** I am heard speaking with the police for several minutes. The officers went inside HQ but left their belt-mounted recorders on. It is sometimes hard-to-hear audio of police when they thought nobody was listening. Headphones make hearing it much easier.
25. Police can be clearly heard in their HQ discussing my lack of sanity and one of them says "Wells Fargo offered him mental health but he refused". Police can be clearly heard thinking my FBI/CIA reporting to be examples of "crazy". Then…incredibly… one of

them calls Martin Ogno, Wells Fargo Corporate Security in Portland Oregon and reports the outcome of their police visit to my home. Minutes before police denied they had such a contact. That part of the audio recording is so clear it is almost possible to hear Ogno on the other end of the phone. Contrast the suspicious attitude and prejudicial tone of police when speaking with me, a local homeowner and citizen. Then listen to them kissing up big time to Martin Ogno of Wells Fargo. It is very meaningful.

26. Sometime after they left the restroom they met with a superior officer. That portion of the audio recording is faint but can be clearly heard with headphones. They attempt to input a code into a computer system to move the police visit over to the fire department records. They can be heard failing at that. It was because I had paid for the record while I waited which locked it in. What police are heard doing on accidental internal audio was illegal and shocking beyond comprehension as it allowed them to create or deny any reality they wanted to. Go listen…it sounds like they did it all the time. I wrote them in no uncertain terms how illegal that was and that simple, automated correlations of their cellphone 'ping' data, COBAN (police recording system) records, and dispatch records will reveal all sorts of inconvenient truth.

27. Then came the internal police meeting, unique and historic audio. What has been happening since the dawn of time was recorded. It is the moment that police abandon reason and go with whoever they perceive to be in charge. One of the police officers indicates his concern that their activity may actually be 'retaliation'. Then another (superior) officer shuts him down completely by insisting I am crazy. The police audio transcript is included in **Exhibit 3** and the audio is posted on my websites previously specified.

28. Again: I did not have any of the audio recordings in July 2011 but knew I was being recorded and assumed I would eventually be able to get a copy. I did not expect the all-important internal police audio. Until I received it, I honestly believed Eugene Police made an error because I could not imagine at that time it was carefully orchestrated by Wells Fargo et al.

29. The apparently accidental recording captured absolute proof of a genuine criminal conspiracy to retaliate and tamper with me. It captured a Wells Fargo security worker lying to police about FBI processes. According to Martin Ogno of Wells Fargo corporate security: "FBI did not take my reports seriously" and he went on to discuss my Wells Fargo bank balances with police.

30. On July 21, 2011 I received an email from OSHA regarding my SOX investigation. It asks for personal computer and telephone records. I believed it to be some form of fraudulent email because OSHA had barely started the process. I had already furnished them significant material to review, it made no sense they would want more. I searched and found no precedent of such a demand in an OSHA investigation. It "looked and smelled bad" so I complained via email to Timothy O'Hara at Wells Fargo.

31. Around the same time I received a letter from "Leah Lively" at "Ogletree Deakins" and she did not identify herself as an attorney. I searched and was horrified when I found out Leah Lively was an attorney. My search also pulled up other facts about Ms. Lively such as: 1) "Oregon Live" interview in which she opposed spending money on Christmas Lights on a Portland bridge and instead wanted it spent on police. 2) her husband was a police officer of some type 3) she had been a Deputy District Attorney in Portland 4) she recently returned from a very lively European Vacation which featured a tour of World War 2 D-Day beaches and perhaps a visit to friends and relatives resting at La Cambe. Then they board a train via Paris taking them directly to the Money Capital of the World: Basil Switzerland, perhaps to visit their Swiss bank accounts considering how upset Ms. Lively got about the facts accidentally discovered when I was compelled to determine who she was and why she was writing me dunning letters.

32. Leah Lively later complained to the Court that I had no right to perform that search and if she had identified herself as an attorney in her early letters that would not be needed. **Meanwhile, I was just becoming aware Ogletree Deakins was brought in around May 1, 2011** when I was still employed and had run an incredibly detailed special investigation of me using Westlaw Information Services.

33. Among police audio records received a couple months later I obtained the Police Dispatch call record…seemingly a 911 call… that triggered police action the FOLLOWING day. A lowest level Securitas contractor was used to make a bogus 911 call on 7.28.11 . Wells Fargo's "Emergency" was dealt with the next day with false arrest. **Exhibit 3** contains the 911 call transcript, audio is posted on **www.RisePatriot.com** or **www.WellsFargoWitz.com.** It is obvious to anyone it is Wells Fargo setup using a Securitas contractor as a middleman. Not so obvious is that Ogletree Deakins was orchestrating it all and/or was responsible for what was inflicted against me starting around May 1, 2011 when they were brought in by Wells Fargo when I was still employed there.

Mafia-Style Kidnapping via False Arrest
Kidnapping #1 to Terrorize for Political or Pecuniary Motivations

34. On July 29, 2011 SWAT police with a canine unit came to my home, knocked on my door, and suddenly grabbed me and placed me in handcuffs. Two SUV's and two squad cars were used in the early evening. Neighbors later told me police with rifles were in the woods behind my home. Police made every attempt to enter my home and I would not allow it. I had on a t-shirt and shorts. I was not allowed to put on my shoes. I was force-marched barefoot and handcuffed behind my back in front of the entire neighborhood to the line of police vehicles. Police recorded me with in-car audio/video and I obtained and posted that on www.RisePatriot.com. I did not make a transcript it is just me talking. The 'best' scenes are at the end…me being taken into the jail by an immense police officer.. handcuffed and barefoot.

35. After all that, I was charged with "Second Degree Municipal Trespass" which is the absolute most minor crime there is and never before had involved SWAT resources and jailing. I had not trespassed and knew Wells Fargo's bank camera systems would prove that. The charges were later dropped but damage done by mugshot publication and jailing by Wells Fargo and employment attorneys (Ogletree Deakins) never goes away.

36. I was placed in the "drunk tank" which is a tiny concrete room with many chairs and a very loud television. I attempted to explain my situation to the jailers and I was advised I had no rights whatsoever when in jail. I used the telephone to report my jailing to FBI and a jailer told me to stop doing that. I witnessed a young man curled into a fetal position in a corner on the floor obviously in some form of extreme distress. It was very cold, especially as I had been taken from home in t-shirt and shorts. No bed or bedding was provided. When I complained about that I was placed into a cell with no toilet and even colder. It had a concrete platform I could lay on but no bedding of any form. I asked for a blanket…even a dirty one… and was told that budget cuts did not permit it.

37. Eventually I had to urinate. The jail staff area was near my cell and I could hear them talking or laughing sometimes. I banged on my door and loudly proclaimed I needed a bathroom. It got completely silent in the staff area for a minute or so. I waited and banged on my door several more times. I was hurt and angered by their inhuman withholding of a toilet and blanket. I realized there was absolutely nothing I could do except report it endlessly after release along with all else until someone listens and makes changes.

38. When I could hold it no more I was compelled to urinate on the floor. Within minutes a jailer opened my cell and called me an animal for urinating on the floor. I told him I had no choice and asked for a mop so I could clean it up. 10 minutes later, the jailer brought a FEMALE jail inmate over with a mop and bucket. I once again pleaded to clean it up myself and was refused. I was forced to watch the woman inmate clean my urine off the jail floor.

39. I was eventually released the next day, 18 hours after I was taken from my home. I asked for a ride home as I was taken with no shoes. I was told that was my problem. I walked about a mile towards my home and noticed a taxicab waiting near the Greyhound Bus station. I had no money or ID. I was barefoot and dressed in a t-shirt and shorts. I explained to the driver I had been in jail since the day before and had money at my home. I gave him my address just a couple miles away and he took me there and waited while I ran up to get his fare plus a big tip.

40. That same day, July 30, 2011 I started work on my first-ever website. At first its sole purpose was to make the FBI/DOL filings available to attorneys as it appeared litigation was possible and police had just made every attempt to enter my home for no apparent reason. I had signed up for email services with an Internet Service Provider called "Simplicato" in New York City. They specialized in legal and medical communications which needed to be secure and archived. I called them and asked them to activate my ability to publish a website and they did.

41. I placed my Wells Fargo Operations Reports (the FBI/DOL/SEC reports) online July 31, 2011 on the second page of a crazy-looking website. I knew that in 2011 85% of people did not click to a second page of a website. I also knew there were then about 4 billion websites and any given one was nearly impossible to find unless directed to it.

Out of professional obligation, I promptly notified Wells Fargo via email to Ogletree Deakins that I had placed material online in preparation for litigation. That is what prompted the August 4, 2011 Ogletree Deakins letter telling me I was being sued in federal court by Wells Fargo. Suddenly within one week: I was involved in two major legal processes: the trespass charges and the federal lawsuit.

42. I complained in writing to Leah Lively… Portland attorney and ex-deputy DA in Portland. that I had an extremely high spousal support obligation ($5,500 per month) and was behind due to lack of employment. Two days later Eugene Oregon Divorce Attorney Bruce Newton filed a garnishment for $20,000 and I was completely wiped out of cash.

Ogletree Deakins Employment Law SLAPP and Violation of 28 USC 455

43. I started receiving lawsuit material in my email, my mailbox, and delivered via a parade of process servers. Given the police action a couple weeks prior, every knock at the door and every pile of paper was depressing and frightening. At first it all "looked like Greek" and then I realized it was mostly duplicated material. However….parts were not duplicated. Just sorting it out was intimidating considering my only legal background was via the CPA training and watching LA Law on television in the 1980's when my children were babies.

44. I was told to remove the website…just days after I put it up. Had I not told Ogletree Deakins about it they obviously would never have known. I went to their website and saw they were advertising an "Internet Threat Response Program" for their corporate clients and that is when I became of the opinion Wells Fargo had no idea what Ogletree Deakins was doing and it was all about Ogletree Deakins and their legal fee income. I took the website down, it made no difference, the train just kept rolling.

45. Their lawsuit (6.11.06248.ho) was accepted by our local district court on "Emergency Basis" with first hearing on August 22, 2011….just a couple weeks away. Despite no cash I called a few attorneys and left a message about the emergency hearing in federal court. Nobody called me back. I called the Oregon State Bar to complain and I was given their Referral Hotline. I made a couple more calls and left messages but never received a call back.

46. Within days of the lawsuit being accepted by the court and prior to any hearing of any form the first "Judge's Orders" came out: My website was legally shut down by court order. A copy was sent to Simplicato and they terminated my email and website instantly. Those orders are in PACER under Case 6.11.06248.ho which started as 6.11.06248.tc

47. I realized I needed to understand the legal filings so I intently studied them. I performed internet research (fast and furious). I found the following information and treated it as fact:

1) Lively had filed over 40 such lawsuits and never lost a case.
2) Nationwide no employee I could identify ever won such a lawsuit against them. There probably are some but I could not find any.
3) Judge Michael Hogan was a highest-level judge with unique power and authority.
4) The legal filings in a lot of the cases looked really similar. I learned much of the legal industry uses complex forms called "boilerplate" which explained how fast they were able to create the lawsuit filing.

5) Wells Fargo via attorney signed a declaration saying there was at least $75,000 in damages from my alleged actions in order to file in district court. (At the time of filing Wells Fargo had absolutely zero damages except those inflicted upon it by Ogletree Deakins. Wells Fargo lied about an emergency and lied about damages.)
6) *And most important of all: Employee reporting to FBI in advance is extremely rare and the person is federal witness/informant. It is a federal crime report per Criminal Resource Manual 1729 that was an active document at the time.*

48. Then I went through the claims against me in detail and they can be confirmed via PACER. It looked more like a list of criminal offenses:

1) Various cybercrimes related to the Wells Fargo laptop computer I had in my possession after termination.
2) Releasing "confidential" Wells Fargo Client Mortgage Account Numbers
3) Disclosing company trade secrets.

That is when I knew for certain Ogletree Deakins had absolutely no knowledge of my job or Wells Fargo technology. They sell an expensive gangland generic legal response.

Obvious and well-known to all:

1) the corporate laptop ...most any corporation... is a secure terminal into the even more secure 'mainframe' systems. No data is on it. Data is on the internal systems accessed by the device. All passwords are deactivated upon termination and the device itself is remotely deactivated so it will not turn on. All that is standard practice.
2) Wells Fargo then employed about 5,000 mortgage originators. There were no secrets...just a lot of stuff they wanted to hide from regulators and law enforcement.
3) Under Dodd-Frank (then) is did not seem legally possible to have secrets related to mortgage acquisition.

49. *And most important to me as a financial professional and CPA (non-practicing): Generally unknown to everyone but Wells Fargo Mortgage employees, the Retail Wells Fargo mortgage loan number was in 2011 not confidential. It had long been a public* *record printed on the recorded Deed of Trust. Its only usefulness was to make a payment. Attorneys lacked business knowledge and got caught.*

50. I honestly felt sorry and embarrassed for Leah Lively and Ogletree Deakins at the time. They were clueless. Their previous cases seemed to be employees with personal problems. I explained the simple facts in writing along with documentation. At that time I still thought the arrest three weeks prior was an error. I mentioned it in court, Leah Lively started to respond and Elizabeth Falcone cut her off mid-word. Still, at that time I felt sure Judge Hogan and Ogletree Deakins would be most thankful for me handling their horrid mistake and total lack of business knowledge so quietly.

51. I went into court on 8.22.11 dressed in suit, tie and white dress shirt…just as I had for most of my career. There were three Ogletree Deakins attorneys from Portland and others in the vast and dimly lit courtroom. My manager's boss (Doug Grenz) was there for Wells Fargo and we exchanged pleasantries. **Exhibit 4** is the first few pages of the transcript of that short hearing to give the reader an idea of what I faced. My oratory was meant to heal everything. Then minutes later Judge Hogan meanly yelled at me to look only at him and not around the (magnificent taxpayer/citizen funded) courtroom. Then he proceeded to demand Wells Fargo secrets from me…in open court. It was heartbreaking and shocking: I considered his questioning and attitude to be insane. Then I learned he had been judging at extremely high levels since he was 26 years old and so I felt he really didn't know any different because everyone was intimidated by him. Absolute power corrupts absolutely.

52. Still…I was certain that once his staff read my filings it would all just go away and I could move on. I had to turn my focus to my $5,500 per month of spousal support and to the municipal trespass matter. <u>I made sure to submit motions to each and every "court" explaining how the legal system was being used in concert against me. Responsibility and culpability for that situation lies with Defendant: Oregon State Bar Association. My humanity was irrelevant to them; I was reduced to their paycheck.</u>

53. I obtained all the police reports from the 7.29.11 arrest. I still did not have the audio recordings. The police reports are in PACER among all the other obstructed facts and evidence. They did not appear to have a valid arrest warrant at time of arrest. It was signed after-fact from what I could tell. Worse: the police reports are almost entirely outright lies. Police claimed I threatened to rape my bosses and that they repeat that along with copious amounts of other psycho-sexual boilerplate. Both bosses for 100 miles were **men** and neither reported a fear or fantasy of me raping them. It has nothing to do with 'trespass' and everything to do with company-directed police forces.

54. Exhibit 5 is a recent crime report, once again following up on an unanswered detail. Exhibit 5 analyzes two of the 30 page bogus police report. A police officer wrote that I and my motor vehicle data was placed into a special system for police only use in order to identify violent offenders in the future. I wrote many letters to police and other agencies explaining that is JUSTICE COMPUTER SYSTEM FRAUD and to tell me exactly what system was used. I received no responses. I learned that most likely I was entered into the FBI's NCIC system (specifically the National Incident Based Reporting System – NIBRS). I still do not know for sure. However, that directly correlated to what came next and what followed.

55. On August 30 or 31, 2011 I went to the ex-parte desk at the local courthouse to file for modification of $5,500 per month of spousal support. Eugene OR divorce attorney Bruce Newton came into line right behind me. I greeted him by allowing him to get ahead of me in line and joked that whoever was paying the bill would appreciate it. I glimpsed my name on whatever he was filing but continued explaining to him why I needed the modification. Next day I delivered some of the material to his office to give him an idea of what was being dealt out by Wells Fargo/Ogletree Deakins.

56. A couple weeks later I received a call from Gerry Gaydos, a local attorney. He explained that my guardianship of my retarded adult son (Andrew Justin Clark) was being taken away from me. It turns out that Bruce Newton was filing for that after I gave him my place in the ex-parte line. A home visitor was sent out and in weeks there was a hearing in front of Circuit Court Judge Holland.

Court hearings are recorded in Lane County and for $10 anyone can get the audio. The audio hearing of Judge Holland is posted on www.WellsFargoWitz.com and on various Youtube channels, etc. It is several hours long and here are what I think are the most important facts:

1. I questioned the home visitor report and the judge declared it did not exist. The home visitor report is the entire basis of the hearing. Please note: it was not sealed. It was removed from the file as if it did not exist. The judge violated 18 USC 1519.
2. The son of attorney Bruce Newton's partner (Mr. Bromley) was living in one of my ex-wife's homes WHILE being the caregiver to my three retarded offspring (two were genetically tested to be affected with Fragile X, a genetic condition passed by a female carrier) WHILE attending law school.
3. Guardianship was removed because I was considered a threat of some form.
4. At that point I still did not have the police audio but I stated in court it appeared to be a downstream effect of police entering a threat report (most likely NIBRS) or being arrested for anything, especially by SWAT forces.

57. September/October 2011: I was then in FIVE different court proceedings and was borrowing large sums from my parents. The trespass matter had not yet been dismissed. The family court matter was in process. Spousal support modification was filed but not heard until February 2012, each month I was bleeding $5,500 per month plus all of the ex-wife's endless attorney bills. In early 2011 my divorce-mandated life insurance expired as a decade had gone by. It took a lot of work and money but I was able to renew it before the hearing in which they wanted to find me in contempt of court for lapsed life insurance. That was in the local circuit court of Judge Carlson in February 2011. He went on to find that I was NOT in contempt of court. Instead he decided I was in PAST contempt of court for allowing it to lapse. Attorney Bruce Newton put in a cost bill against me for $1800 and strangely…it was heard in September 2011 just to pile it on more. Would any of you Defendant appreciate such treatment?
58. I had tried to be both professional and nice to Wells Fargo and Ogletree Deakins. By October 2011 I was reduced to mass-faxing of sometimes nasty informational materials to industry participants.

59. In October 2011 Ogletree Deakins finally identified the specific items they claimed were in my posted FBI filing and mailed it to me in a letter (**Exhibit 6**). It is a handful of mostly repeating public records and certainly not $75,000 or reason to be in federal court….except to feed the Mediation Mill of Mediator/Judge Michael Hogan.

60. I mass-faxed more informational material because Ogletree Deakins never responded to any question I asked but…they responded to off-color mass faxes. The 'method of operation' of employment attorneys is to demand a worker/victim ask questions ONLY of the attorney. Those questions whether in writing are completely ignored. However, if the worker/victim dares go around the attorney a dunning letter is generated that demands the worker/victim inquire only with the attorney. They harvest the fruit of the Humiliation they deal out. It is called 'emotional pretexting.'

61. In November 2011 harmless non-authenticated after employment fax nonsense was placed into Court "Under Seal" and became the basis of the 12.24.12 court hearing. I also received a couple very intimidating calls from Federal Marshall Service who called to complain on behalf of David P.R. Symes, then the branch manager of Portland's Ogletree Deakins office.

Exhibit 7 is a sample of the "**filed under seal**" hearing material they submitted in a United States District Court and incredibly…got a court hearing for. That is how they continued fee-gouging Wells Fargo while creating an illusion they had any reason to have SLAPP-sued me….a lowest level unemployed worker. I state here as fact: submission of nonsense from a company fax machine is contempt of court and just plain stupid. I also determined they had sealed all of my presentation leaving a totally one-sided record in PACER which I consider to be fraud of a federal system as well as obstruction of justice by concealing tangible evidence. It had ZERO to do with Wells Fargo and was only enriching Ogletree Deakins. I was then certain Wells Fargo would never condone such a hearing but years later it appears their management is kept completely unaware of anything important which in theory violates the Sarbanes-Oxley 'internal reporting' mandate.

I later found out that Hogan was one of the only judges who actually met with citizens at hearings and such. I also reasonably determined he was running a vast, long-term "Mediation Mill" and had various attorneys feeding him business which he then assigned to himself. In my case it violated 18 USC 455 and under the circumstances, Hogan was more "mediator" than "judge" which is why he is being sued. I later found out court staff do all the paperwork and the trusting judge allows his digitized signature to be placed on it. I found out the court staff get their input from….Ogletree Deakins et al who usually can pull it out of their nationwide document archive as boilerplate ad hominem attacks against their worker-victim.

62. The business details had become inconsequential to the retaliation and glaring defects and lack of transparency in the justice system. I had obtained, processed, and interpreted the police audio recordings from July 2011 and it is obvious to anyone there was an organized conspiracy against rights. However: because it was corporate actors who were using KNOWING and COGNIZENT State Actors such as attorneys who are all agents of the court, police and prosecutors… they are all included in the Racketeering Complaint for claim purposes as well as the Clayton Action and civil rights violations.

Wells Fargo/Ogletree Deakins Destruction of Family
Legal Battery in all Courts – an Oregon State Bar Problem

63. The Wells Fargo situation is linked into the "family" court by both myself and Atty. Bruce Newton. The spousal support reduction hearing was in the February 2012 circuit court of Judge Valerie Love. The audio is divided into six parts and posted on www.WellsFargoWitz.com and various Youtube channels, etc. It is the first strong indication of a genuine conspiracy against rights by the judges as explained..

The hearing was actually a 'Motion to Compel' as I and attorney Bruce Newton both stated in court. We both motioned the court for a continuance. Judge Love excused herself from the courtroom and came back about 10 minutes. She is heard stating on the court audio that the "other judges" told her the hearing for spousal support was to occur that day despite neither side wanting that.

Then Judge Love brought in a male deputy to yell at me. Armed security guards followed me around and attended all hearings. I attribute that to the Wells Fargo/Ogletree Deakins threat-painting and smearing activity via fraudulent use of systems such as NIBRS. They put the microphone that records right near my hand so whenever I put my hand down it made a loud noise giving the judge another reason to compel the embarrassed and uncomfortable deputy to yell at me more. My ex-wife was absolutely delighted the court was inflicting her spite. In that court hearing, I clearly related the Wells Fargo retaliation to the spousal support problem and asked for the help of the opposing attorney and the court. The $5,500 was **not** reduced despite having no employment for going on a full year and being in every possible court process. I was also forced to pay a $9,600 cost bill to her attorney Bruce Newton who by now had essentially stolen about $125,000 in legal fees to date.

Hobbs Act (18 USC 1951) Violation #1

Ogletree Deakins abused court processes to award themselves a "Third Party Benefit Under Color-of-Official Right." They generated a $1,700 bill for receiving faxes they used against me. Using official systems to bill fees with no hearing is STEALING.

64. I received notice of a telephone hearing of the local district court of Judge Michael Hogan. Wells Fargo/Ogletree Deakins paid to have the first two hearing transcribed. The third hearing was not transcribed until I paid for it in 2014. Judge Hogan is shown to not care one iota about my extreme personal situation. He had absolutely no case knowledge or involvement as evidenced by the "Motion 78" discussion. Leah Lively of Ogletree Deakins was on the telephone hearing and she was badgering the judge to tell her if Motion 78 was approved. At first he waffles, then he looks at his system and announces it was approved.

65. Motion 78 in Case 6.11.06248.ho was used by Leah Lively of Ogletree Deakins in the Dept. of Labor OSHA SOX "court" to obtain a directed verdict without any hearing or any consideration of relevant business information. They issued a 25 page report (posted www.RisePatriot.com) that is a collection of boilerplate lies and innuendo. They denied every single allegation, sometimes in detail and added in all the mental health innuendo. Most shocking, they denied the proven mathematical certainty of the higher Wells Fargo interest rate despite having settled with Department of Justice in July 2011 regarding instances of exactly that. Difference being after the April 2011 Dodd – Frank changes all Wells Fargo retail production was "out of the market" with regard to rate which is perfectly legal but…impossible to sell. They denied the unpaid overtime, they denied the bogus sales practices…and Dept. of Labor/OSHA had absolutely no training or background in Sarbanes-Oxley retaliation. It was an attorney's dog and pony show seldom won by a victim.

66. Getting back to the telephone hearing, transcript in PACER: Judge Hogan then sells me on his mediation services. Mediation happened in 45 minutes in the Chambers of Judge Michael Hogan in July 2012. I arrived dressed for business. Leah Lively was in one area of his chambers and I was in another along with a conservative but richly dressed woman who appeared to be in her 50's. She was introduced to me by first name only and her affiliation and function was not told to me.

67. Mediator Judge Hogan dressed to disco wearing tight blue jeans, tan shoes and a shirt with the top button unfastened. A thick gold chain hung around the neck of the Honorable Judge. He started off by excusing the attire because he was leaving on a flight-out that evening. He received and responded or reacted to six text messages in the 40 minute session. He displayed no case knowledge again. He tried to bribe me up to $100,000 tax free to silence my complaints.

68. I explained I earned c. $200,000 per year so $100k was not acceptable. Judge Hogan was noticeably startled and I went on to suggest my career and damages were worth approximately $4 million at that time. He started to respond to me and I looked over to sense the reaction of the woman who was at the mediation session. Once again Judge Hogan yelled at me loudly to look at him only and rushed the woman out of the room and told me to accept what was offered or "he would issue a Notice for a Trial".

69. I excitedly told him that is exactly what I wanted: a trial of facts. I told him to go ahead with the notice. I also told him I felt we were rushed due to his flight out and his text messages and suggested we get together for another session but I told him I really wanted a trial. At that moment, nervous looking security personnel swarmed the area so I left pronto. The Judge was whisked to a waiting vehicle for his ride to the airport. It was the last I heard from now-retired Judge/Mediator Michael Hogan.

70. I performed research showing that Judge Hogan had been using his position to enhance his mediation business. Hogan actively sought out cases and situations to mediate and then had the cases assigned to him. I asserted it was likely or possible that Judge Hogan was paid for our bogus session and his minimum fee appeared to be $10,000 based upon his mediation website at that time. I asserted longstanding collusion with Leah Lively of Ogletree Deakins (and many other attorneys) that had essentially turned any and all employment complaints into a local mediation industry for benefit of Judge Hogan. The long-term implications of it all are disturbing.

71. Sometime in September 2012 Hogan's "court" ruled against me in all regards with no hearing of anything. I paid Eugene Oregon Attorney Barry Davis to file an appeal for me. At the same time I received notice that my freely owned home was going to be sold to pay my $5,500 spousal support. That hearing is posted on www.WellsFargoWitz.com and it is brutal and uncaring. I was forced to liquidate my 401k that had my ex-wife as beneficiary. Since then the fund would have almost tripled in value but I had to sell it. Attorney Barry Davis took about $12,000 from me for upcoming work on the appeal. He never filed a notice of appeal, much less any appeal at all. He actively lied to me repeatedly that he had the appeal under control.

72. Duplicity of Attorney Barry Davis was made clear to me in March 2013 when he informed me Ogletree Deakins had billed me $1,700 for receiving my faxes…the same ones they used against me in all court proceedings. He said it was ordered in case 6.11.06248.ho despite it being a closed case in which he missed the appeal. Ogletree Deakins once against acted in a way to punish, retaliate, and stoke the war.

Wells Fargo/Ogletree Deakins Mafia-Style Kidnapping #2
With embedded Hobbs Act violation #2: awarding a coerced third party benefit under color of official right and under color of law.

73. I fired attorney Davis. He did little to nothing but steal my money without shame. I contacted Wells Fargo's conflict attorney in Des Moines about the Ogletree Deakins fax billing and he told me to call Ogletree Deakins about that so I did. Ogletree Deakins never returned my calls. I resumed my mass fax information distribution and brought throughput in June 2013 to 13,500 transmissions. I faxed to news agencies, attorney firms, government agencies, and law enforcement agencies such as Eugene Police and all the FBI offices in the United States. At that time I was faxing from my home computer using a fax modem and Centurylink Business Class communication services.

74. Most of my faxes followed the format we see all the time on internet news. I would use a shocking and often lurid "headline" in big letters followed by extensive boring business detail in normal size printing.

75. On July 18, 2013 two City of Eugene **Major Violent Crimes** Detectives came to my Tony Veach, Eugene Police Dept. advised me I was stalking Leah Lively and Ogletree Deakins and he orally prohibited me from communicating with Ogletree Deakins. I explained to them that FAXING is not STALKING and I had every right to communicate and that well-tested law does not allow police officers to stop communications absent of an imminent actionable physical threat. I explained that advertising come-ons were often a little off-color and pointed out most any communication was pure business of great importance. I explained to the two detectives I felt certain their visit was a "setup" for another false arrest and Det. Veach refused to record the conversation.

76. I offered police complete access to my home and paperwork. I implored them to stay and let me show them my evidence and they refused to even glance at it. No fax I sent was even vaguely a threat to anyone and as noted already they were all sent to FBI and other Law Enforcement over and over again. Only Ogletree Deakins found offense. I was extremely upset by the visit and felt strongly I was once again being set up…and I was, this time far bigger and worse than the time before. **Major Violent Crime resources used to retaliate and conceal for Wells Fargo/Ogletree Deakins degraded public safety and is an insult to all taxpayers**. Plus…it does not take a genius to realize if Major Violent Crimes is sent for absolutely no reason except to roust me they already had a plan in motion to jail me for a major violent crime.

77. I live 100 miles away from Ogletree Deakin's secure office tower in Portland. I had not been to Portland nor was I alleged to be in or near Portland. They had police roust me many times at my home. I don't even know where they live and certainly would have the courtesy to not bother them at home. I took great pains to keep my communications within the business arena by using FAX instead of, say, Facebook or other social media. Obviously: Leah Lively of Ogletree Deakins is an attorney. Her staff collects material from the fax machine as I documented with online job postings for legal assistants showing it among their duties. They can throw it away and block my number. They can use well defined FAX laws against me. They can apply for a restraining order. Instead they chose to manufacture crime against me, corrupt our local district attorney's office, and have me arrested again. That is more profitable to them and it conceals Ogletree Deakins bank robbery via systematic pretexting of legal bills. By this time, the attorneys were definitely not working to protect Wells Fargo: they were working to conceal their lack of detailed business knowledge and to continue fee-robbing the Bank.

The law in Oregon and United States clearly allowed my communications. I claim that Dodd-Frank as interpreted by Wells Fargo *at that time* MANDATED I do all possible to communicate and Oregon has an exception for employment related communication but prosecutor Hasselman ignored it.

78. In Lane County OR there is a special office that handles 'restraining orders'. It is a mandatory first step before communications can be considered "stalking" or "harassment". Oregon has 'free speech' protections above and beyond federal law. Neither Ogletree Deakins or Leah Lively in Portland had filed for a communications restraining order like everyone else has to in order to obtain an arrest.

79. I continued faxing as fast as I could. Consider that police had been to my home five times in two years, always sent by Wells Fargo/Ogletree Deakins with the specific purpose and effect to taunt me for my inability to fend off their deadly legal assault for reporting them and Wells Fargo in detail to Federal Bureau – Investigation, etc.

80. Unknown to me at the time, Christopher Mixon, Chief Legal Counsel of Ogletree Deakins in Nashville was working with an attorney in Portland (Steven Seymour of Samuels Yoelin Kantor) who in turn was allowed a special visit with Lane County Oregon Major Violent Crimes Prosecutor Erik Hasselman. They were working on a stalking complaint. **Exhibit 8 are their own letters that document the deliberate and systematic manufacture of crime and public corruption. I found them after-fact buried in the piles of police paperwork.** I included a writeup to help the reader understand the context better.

81. Important Detail: Ogletree Deakins claimed an "imminent threat" in one of the letters to Eugene OR's police/prosecutor from their secure Portland tower. That is what allowed them to get an arrest without a communications protection order. I confirmed in writing Ogletree Deakins bypassed Portland police…they reported no aspect of a threat at any time to authorities in Portland. If a person is "imminently threatened" they call their own police….not police in a city 100 miles away. Ogletree Deakins had not even put their building security on notice. I had not been near Portland for years and was not alleged to have been. It is 100% manufactured crime to retaliate.

82. It is complete and total invention and manufacture of crime along with a feigned threat. It was performed by Wells Fargo/Ogletree Deakins with clear collusion of state actors against a federal witness who had evidence parked in great detail while still employed and after. Criminal and Civil RICO were never so stark and well-documented due to police and court audio records. The attorneys then used their nationwide connections to conceal it in the courts.

83. On July 22, 2013 I accidentally faxed one (1) item to Ogletree Deakin's Portland Office. I was unaware of it. I obtain my fax numbers from websites and despite me removing their number from lists...it was still on one. Det. Tony Veach called me on 7.23.13 and asked me if I sent it so I checked my logs and confirmed to him I did. I later found out that my faxes were being automatically forwarded to Attorney Steven Seymour. I should have lied and denied it. My honesty was used to incriminate me.

84. On July 25, 2013 Det. Tony Veach called me at my home and said he needed to meet with me and asked me to drive down to the Albertson' supermarket, about a mile away. In Eugene Oregon when police make major violent crime warrant arrests their standard procedure is to make the driver remain perfectly still as police surround the car and open the driver's door, cut the seatbelt, and drag the driver from the car onto the ground facedown for handcuffing. The car is taken to impound and it will cost at least $600 to get the car out of impound. The driver is subjected to cannabis and alcohol tests and criminally charged accordingly along with all else.

85. <u>**I rode my bicycle instead.**</u> Tony Veach was there as were some of his partners. They were all plain-clothes and they looked like old rumpled versions of 'Miami Vice' undercover police, several of whom have since left the force under allegations of sexual misconduct. Det. Veach advised me I was being arrested and ushered me towards an unmarked and somewhat old brown van. I got in and Det. Veach sat to my right. He closed the sliding van door and another of the plainclothes police officers drove.

86. I was <u>**not**</u> handcuffed and Det. Veach made a point of mentioning that in the written police reports. That is absolutely against police policy, especially for Major Violent Crimes. None of the arrest process was audio-recorded this time because police were keenly aware I would get it and pick it apart<u>*. I honestly felt what was happening and how it was happening was more like a mob hit and I was "going for a ride". I believed it is highly probable Det. Veach left me un-cuffed because he planned to murder me when I became enraged at being arrested over rightful communications. I realize that is speculation but that is how it appeared to me at the time and that is what I believed and still believe it actually was: setting the stage for another sad but*</u>

completely understandable police shooting of a citizen. Here in Eugene there have been several…but they are soon forgotten by all.

87. Det. Veach advised me I was under arrest for 10 counts of stalking Ogletree Deakins. He showed me the warrant. **Exhibit 9** shows 10 identically duplicated charges of stalking a corporation and one or its workers…via fax. I continue to assert that Stalking laws were not meant for corporate use and it is not possible to stalk a corporation (or rape or murder one). Notice that despite it carrying a potential penalty of 10 years in prison there was no Grand Jury. It was all done based on a corrupt prosecutor's "information" just as Ogletree Deakins perpetrated false arrest in Maricopa County AZ in the same timeframe (Exhibit 1).

88. Tony Veach also showed me the 10 faxes used to obtain the 10-times warrant during my ride to jail in the old unmarked van. I showed Det. Veach the fax receipt banner and pointed out that most of them were not to Ogletree Deakins. Det. Veach was fully aware of my informational fax campaign from his visit (home invasion) a week prior. Nothing I said mattered to him…obviously.

89. Lane County Oregon uniquely uses a crude computer program called Risk Assessment Tool (RAT) to determine pre-trial jailing and bail. It simply counts the number of charges and then exponentially increases the jailing and the bail amounts via "Risk Scores" that are entirely determined by number of charges. Once a person is charged with over 9 counts of anything they are considered highest risk and rarely get released prior to trial. It is a system that is well-known locally to place the punishment ahead of the trial. A judge approved use of the RAT system but the widespread fraud of the system has never seen the light of day due to attorney corruption of State functions.

90. Duplication of charges in this case and situation represent deliberate fraud of our justice system that directly affected my life and liberty. As a mortgage loan originator I would be terminated and banned from profession had I listed a liquid asset 10 times in attempts to secure a mortgage loan for a client. Yet that type of fraud appears to be the basis of United States criminal law.

91. This time I was placed into the actual jail. I was allowed out of my cell for two hours per day but with no regularity causing a sense of time distortion. At least once the 2 hours was denied so I was in-cell nearly 48 hours straight. It was absolutely brutal and precipitated every medical condition I have as a middle aged man. I learned from other inmates I was in a 'maximum security' area of the jail....pre-trial.

92. Sudden withdrawal from coffee and/or tea is extremely painful and debilitating. I asked for a cup of tea but was refused. I was told it was not available in jail. I also use cannabis for a well documented seizure disorder condition and I will go into seizure after a week or two without cannabis. At the time I was a Oregon Medical Marijuana permit holder which required a doctors records of a qualifying condition. <u>I am also prescribed a minimal dose of Dilantin for the seizure condition in case anyone doubts that the condition is genuine.</u>

93. I was subjected to what I consider a completely illegal in-jail pretrial hearing of some type. The transcript and court audio recording posted on www.RisePatriot.com or www.WellsFargoWitz.com . I was returned to my cell and was subjected to abject sensory deprivation and complete lack of physical exercise for a week. It caused all my pre-existing medical conditions to worsen significantly. On a positive note, the extremely calorie-restricted jail diet caused sudden weight loss despite being very uncomfortable while enduring it.

94. The Lane County Jail contracts for medical services and food services from national firms. Those contracts were new in Lane County in 2011. Lane County Jail has various areas of security and related brutality. I reported all that to our County Commissioners as soon as I was released on bail and also delivered to them a notice of intention to sue them per the law. I also reported suspicions or questions regarding contract kickbacks. It seems so easy for the state legal actors and the attorneys to steal pretty much whatever they wanted to and call it legal or consulting fees. Unlike any other industry… there is no limit to a legal fee. It can be, say, $100,000 on a $300,000 contract and nobody would ever know or question it. All I know as a taxpayer is we long ago paid for that concrete building and we already give them plenty of money but every few years they go to the voters asking for ever more millions of dollars on "jail bed space". The jail/prison industry is a goldmine because prisoners and their families can't do a thing about it. So..telephone calls out cost a dollar a minute (or so) and corporations are forever peddling new gimmicks like ankle monitors that get terribly overused. I feel our local government leaders allow us to be robbed blind by people they trust. I reasonably know for a fact they will not enjoy wearing an ankle monitor or existing in their jails.

95. My bail was set at $200,000 for the 10 identical charges of corporate manufactured crime. My elderly parents had to pony up $20,000 and watch me being fitted with an electronic ankle monitor that was large and strapped on so it could not be removed. It is the absolute most cruel device. It is electronic castration and a modern day pillory. All studies ever done show they are both useless and greatly over-used. I implore the court to strictly limit the use of them. If you don't understand what it is…try one out for a week or….six months. You try going every week and paying $100 for the torture of an ankle bracelet inflicted on mostly-men here in Lane County Oregon.

96. I also signed (obviously under extreme duress) a release agreement that included about 40 conditions on a pre-trial basis. For example, I could not shout, I could not buy lottery tickets, I could not engage in commissioned employment, I could not be in the Oregon Medical Marijuana Program.

97. I hired an attorney, not because I needed one but because the Judge in Jail strongly implied I needed one. I talked to several and they all were terrified and intimidated by the charges and the fact Erik Hasselman, Major Violent Crimes Prosecutor was personally handling the case. Each of them accused me of lying to them. Each of them told me that the District Attorney always waits for a Protection Order prior to arrest…even in violent local family situations where people end up getting killed or wounded. No matter what I said…attorneys clearly told me that if Erik Hasselman is prosecuting the State considers my conduct to be an extreme threat and there must be more to the charges than I was telling them.

98. Laura Fine-Moro was my first attorney. She took my money and researched the law and concluded my conduct was not stalking under Oregon law. Still: she yelled at me and scolded me…she even said "how would you feel if your sister or mother received faxes like that?" I politely told her that was irrelevant and that both my sister and mother would enjoy faxes like that, especially if earning $250,000 per year (or whatever) as Ogletree Deakins attorney.

99. I later met her Laura Fine-Moro new husband on the courthouse stairway…. a flamboyant pirate of a man who had significant hair, piercings, and colorful clothing. He happened to work on the Lane County Prosecutor's staff causing me to sense weird possible conflicts of interest.

100. When I felt Laura Fine-Moro was misrepresenting me by refusing to file a demurrer I fired her. In Oregon demurrers have short timeframes and delays in police evidence production and then outright refusal to file a demurrer caused it to be problematic later.

101. I filed for modification of release conditions (ankle bracelet) as Pro Se. I was insultingly refused. Transcript and the actual court audio: **www.RisePatriot.com/JudgeVogt.html .** It absolutely proves complete trust (blind faith) in a computer model to determine the fate of a human being. It used to be called "The Religion of Science" and we used to know that "Garbage in, Garbage out" but now, the way data is input into court systems is the de facto law in a given case. Here is an excerpt from the Exhibit:

"I do rely on the risk assessment tool and I think your arguments today have been intelligently made, I think part of the problem is that you are um, combining a couple of different legal issues into one that normally are not combined. One is that the Risk Assessment Tool has given you certain scores and you are basically contesting you shouldn't have those scores, that is one. Two is really a demurrer issue because you want to challenge the charging document which is not what we are here for today and that motion is not here before me. I would note that the Risk Assessment Tool has been validated and I'm one of the folks who monitors that frankly as the chief criminal judge of this bench. And on the scores you show high in every category, sir. Your danger score is 79.5. Now I noted with my staff that that is true even after they removed some criminal history because there wasn't a record of it because it is old from 1979 um, but the danger score is still 79.5 and I will tell you HIGH is 21. So, your CBR score is also 354. Me: what does that mean? Judge: um, its the scoring level um, the CBR? That is the capacity based release score which is why you are out on security and ankle bracelet. Your re-offense score and your FTA score are also high and so given those FACTS, a lot of the things you are talking to me about today have to do with me with me making a determination about the truth of allegations on um an unsworn statement. So I really can't base my decision on that sir, I need to base my decision on the risk assessment score in the file and the reports and the documents that are provided. I recognize that you do contest that and I am not diminishing in any way your position on contesting that. However, I am required to treat everyone similarly who are in similar situations. I can't treat one person differently than the other when they are in similar situations. And anyone who is out on a release agreement with these scores will be on an ankle bracelet, ok, because it is appropriate.

102. I hired Oregon Attorney Kevin Bons next. He was shocked and dismayed by what he genuinely thought was an abomination of justice. The first thing he suggested was a demurrer, the same instrument as Attorney Fine-Moro refused to file claiming it was "unethical". The demurrer hearing was on November 5, 2013 and I went dressed in a suit as usual. Getting past security with the ankle bracelet required a special search in front of everyone because the ankle bracelet beeps. The hearing was in the courtroom of Judge Jay McAlpin which was right near the public windows with long lines of fellow citizens waiting to conduct public business.

Illegal Search and Seizure Based on Forged Affidavit and Judicial Fraud
All My Computers Were Taken By Police. They Kept Them Four Years .
Per Police Reports, they Opened US Mail Without a Warrant

103. The hearing transcripts and court audio was placed in PACER in my prior cases and obstructed. They can also be accessed at: www.RisePatriot.com or www.WellsFargoWitz.com Another Judge (Rooke-Ley) had ordered an arrest because they claimed a urine test showed positive for cannabis AND my ankle bracelet showed I was in or near a Cannabis Dispensary. To the shock of my attorney, I was taken out to the most public area and placed into handcuffs. The demurrer hearing had to wait until the next day and the Judge got to see me in jail suit and handcuffs. It was very prejudicial and of course the demurrer was denied and I was returned to brutal jailing. That transcript and audio is posted: www.RisePatriot.com

104. Prisoners are held in the courtroom jail waiting transport. There is no drinking water and there is only a metal bench with a rim. It appears it was designed to hold a mattress long ago. After hours I could not stand the thirst any longer. I was compelled to flush the toilet and drink out of it. The veneer of our civilization is paper-thin and this is just one more act of Tampering in an endless string of civil rights violations dished out by sadistic court workers.

105. I demanded of each attorney they find a way for a judge to look at the "evidence" and realize it is a bunch of harmless faxes to Portland Oregon. Turns out that the Prosecutor's staff input whatever they want into a system and someone on the judge's staff rubberstamps it, no matter how absurd. The trusting, hapless judges do not see the case in advance and thus have no real option but to "order" whatever the staff placed into the system. That was made public as part of a recent local dispute between Judge Mooney and Judge Vogt/Erik Hasselman. In Lane County OR there are no ways to meaningfully contest something as absurd as 10-times duplicated misdemeanor case subjecting a citizen to 10 years in prison initiated entirely via District Attorney "information". In theory, they would look at it on 'eve of the trial' but in Lane County the judge will simply do whatever the staff wrote in the system. Even if a judge were to honestly review it it is unlikely he would simply dismiss the charges because of the extreme expense and resource commitment of the State and the fact of witnesses being called. Oregon's demurrer law is limited and vague, as I pleaded to the court with FRCP 5.1 and Federal Rules of Appeal Procedure 44 (FRAP 44) filings, both in PACER.

106. In addition to being rearrested in court Det. Veach served me with a search warrant of my home. The search warrant was badly forged by either Erik Hasselman or Tony Veach. They appeared to have rushed the forge job…it is that crude and obvious. It is not notarized. **The 8 page affidavit was most likely written by Erik Hasselman and forged by him.** The basis of the search warrant was an exact duplication of the original arrest material 4 months prior. That is another instance of fraud of justice systems in behalf of the corporate actors in order to retaliate, punish, and silence me at any cost. I had a lawsuit against them in process and all the working papers for that were on the seized computers. That further complicated court submissions.

107. I was taken to the most secure part of Lane County Jail where they keep the really bad cases. I was only allowed out of the cell 1 hour per day instead of 2. I was housed right across from an inmate I later learned was named David Taylor. He was awaiting his second murder trial and was placed on death row at the Oregon State Penitentiary. I am certain that police or prosecutor felt they would find something in my home or on my computers. It was a fishing expedition. They failed. My computers were all seized but curiously, my fax machine was left there.

108. Bail was set at $400,000 for the re-arrest. My parents had to pony up $40,000. Bail now totaled $600,000. Kevin Bons is an excellent attorney but he had never seen anything like it. He did not seem to understand I had 30 days to make a motion or I would forfeit the entire original bail amount of $200,000.

109. A week before the deadline I was forced to fire attorney Kevin Bons. He is a very good human being and a wonderful attorney but he was in over his head. I retained a renowned Trial Lawyer named John Halpern. He really wanted me to take it to trial and he collected $15,000 from me as a set fee that would pay for all services through a trial. He successfully motioned away the $200,000 forfeiture, the hearing for that was on the last possible day.

110. Once or twice per week the home telephone (mandatory for pre-trial release) rang between 1 am and 4 am waking up the entire household. They claimed they could not get a good signal from the ankle monitor so they were calling to make sure I was home as required. That was just one more added layer of deliberate abuse of me and the entire household.

111. I think this fact is very important: In November 2013 while in ankle bracelet under

10 identical charges of stalking Ogletree Deakins I called local FBI and implored the Agent of the Day to allow me time to relate the evidence I parked there, now that I honestly felt my life was threatened. He was a long term FBI agent named Ken Jamison and it took some talking to get an appointment. I went down in person and met in FBI's office. He allowed me one hour.

112. I showed him the police reports from 2011. He went through them in great detail. He asked a few questions. When he was done, he stated that police action seemed "suspicious". I asked what that meant and he said he would bring it to our local United States Asst. Attorney General to see if it should be investigated. I brought the written material….about a foot of paper…over to Asst. Attorney General Chris Cardini. Eventually I received a rather dunning letter from him telling me there was nothing to investigate and to pick up my paperwork. I left it at his office.

113. According to Attorney Halpern, a picture of me and a threat profile had been posted on the wall right between the chambers of Judges Rasmussen and Vogt, our presiding judges. Attorney Halpern told me in his decades he had never seen such a thing. I was also followed all around the courthouse by Sheriff's Deputies. I learned they were assigned to follow me around because I was considered a special threat. That was another aspect of abuse Attorney Halpern had never seen before, even for actual serious violent criminals. It further indicates corruption of the judiciary.

114. Towards the end of December 2013 I read that National Institutes of Health published a warning in June 2013 against more than 6 hours of cellular signal contact per day. The ankle bracelet device uses cellular signals and is strapped to the bone. As irrational as it seems, that begin to go around and around in my mind and I just had to get out of the ankle monitor. That and along with the realization I would probably not live through a trial (if ever they had one) and incarceration caused me to seek a plea bargain. I realized I would not be able to fight back from prison.

115. The plea agreement was for ONE count of stalking. Had that been charged in the beginning I would not have been jailed and financially abused. There would have been no ankle bracelet or pretrial conditions. I understand some people have multiple charges but in my case it was 10 absolutely identical charges of stalking Ogletree Deakins…a corporations…and one of its workers, the "vulnerable woman victim" attorney Leah Lively who is married to a law enforcement officer and destroys human beings deliberately for money from the safety of a secure Portland office tower. It is pure, unadulterated fraud and lies…from attorneys.

The plea bargain hearing transcript and court audio is posted: www.RisePatriot.com

116. The plea bargain (**Exhibit 10**) awarded Leah Lively a stalking protection order under a different case number. That has the effect of making it look to all as if I have two crimes against me instead of the one bargained for. Meanwhile….no resource was spared for Wells Fargo/Ogletree Deakin's deadly retaliation and FBI witness/informant tampering or covering up their very bad decision of trusting employment attorneys.

117. I was also ordered to seek mental health evaluation but Erik Hasselman and I specified in my plea bargain that I would not have to accept treatment and the judge went with it. That created a problem for the evaluation company because their profession appears to link evaluation and treatment. It speaks for disregard for public safety and the over-eagerness of prosecutor to gain a conviction against me: they considered me to be a crazy violent stalker and even if so evaluated…no treatment needed. I later learned the most if not all "convicts" are "ordered" to pay several hundred dollars for the dog-and-pony-show mental health contractor.

118. The award of that protection order and the 'no contact orders' to Steven Seymour of Samuels Yoelin Kantor are third party benefits awarded under color of law and under duress. They represent a classic violation of 18 USC 1951, "The Hobbs Act" which is just one more major violation that absolutely cements the RICO allegations.

119. On a positive note: I was instantly and suddenly no longer considered a major violent threat. I went to get the ankle bracelet cut off. I eventually got all but $1,500 of the bail deposits back. It was over for the most part now that Ogletree Deakins/Wells

Fargo had done everything to me short of outright murder (which Det. Veach may have been aiming for as described previously).

120. The facts of my lawsuit never saw the light of day. I spent a lot of time and money on court submissions and government reporting in accordance with Wells Fargo Policy and the Law. The attorneys collectively committed fraud of the federal case management system. The system appears to have few edits and relies on trust. It systematically dismisses RICO cases no matter how well documented they are. The end result of all court processes was Ogletree Deakins being permitted to enter whatever they wanted and it became an order of the court regardless of how wrongful or ridiculous.

121. I tried hard to avoid filing another lawsuit (this one) by appealing the cases and inputting FRCP 60(d)(3) motions. Those processes were under color-of-law and played out by court clerks using scoring systems to dismiss cases without reviewing them for unheard facts/evidence. From all I could tell, the court simply allowed Defendants to write and submit anything they wanted…so they did and it is all captured in PACER for all of time. The attorneys wasted several years and most likely allowed them to continue generating fee bills for Wells Fargo to pay. Those processes also obstructed the facts and evidence I discovered and had placed into the court for adjudication or alternate dispute options.

Continued Concealment of Evidence and Obstruction of Justice
by Coordinated Activity of Public and Corporate Attorneys

122. Attorneys Christian Rowley and Peter Urias (et al) at Sayfarth Shaw were brought in to respond to my lawsuits against Wells Fargo. Christian Rowley refused to confer and specifically stated that he did not have to look at my evidence. Mr. Rowley brought in a “Pro Hac Vice” (David Campbell et al) to file obstructive pleadings devoid of relationship to reality; it is more machine produced boilerplate that means nothing at all except big fee billings paid by the Clients they are fee-gouging.

123. The State of Oregon, Lane County, and City of Eugene each permitted their representative attorneys to refuse any form of conference on facts and evidence and then each of them engaged in obstructing their hearing or 'due process'. Worst appears to be State's attorney Vanessa Nordyke who motioned for extra time to respond in **6:14-cv-01103-jr.** The boilerplate she submitted <u>appeared</u> to have been prepared by an external law firm or legal service at taxpayer expense. <u>If so</u>, I would like to "discover" which firm was paid how much for creating a pile of typical boilerplate that was used to obstruct facts and evidence in this banking employment retaliation complaint. A year later, Vanessa Nordyke was named "President" of Oregon State Bar Assn. Sabastian Newton-Tapia and Ben Miller played what appeared to be a well-practiced, devious game in concert with each other designed to bury me along with the evidence. It is documented in PACER for the case using a FRCP 60 d-3 filing and other pleadings.

124. Benjamin Gutman is Solictor General for Oregon. He has a law degree from Yale. The State of Oregon under authority of Attorney General Ellen Rosenblum permitted Benjamin Gutman from Yale to continue obstructing the hearing of simple facts and evidence of personal harm by Defendants for several years in the Appeals Courts. Meanwhile, State of Oregon was in the process of collecting tens of millions of dollars from Wells Fargo for the bogus account "scandal" that I and many other workers reported years before to every conceivable agency.

I would like to "discover" how much money was awarded to Oregon and how much attorneys billed the State for administering the Wells Fargo settlement. That set of circumstances is why Ellen Rosenblum is being sued for Racketeering, Civil Rights Violations, Obstructions, etc. I used certified mail to deliver copies of my lawsuits and pleadings to her and I don't believe she ever saw any of it due to staff procedures that keep leaders in the dark. I am confident Ellen Rosenblum will disgusted by what was perpetrated here in Lane County Oregon in this banking employment retaliation complaint.

125. One cold winter day I noticed climate protesters near the courthouse in support of a lawsuit against the United States by a group of children. I went home and looked the case up. I concluded Eugene OR District Court at that time was run by a gaggle of unseen staff who allowed attorneys Ogletree Deakins et al to operate court systems as if they owned them. The trusting judges were reduced to well-meaning figureheads by court staff who fraudulently use the official system to simulate an actual legal process.

From top-to-bottom, I documented a completely unregulated legal industry. Attorneys in Oregon (and likely elsewhere) are able to inflict all manners of human punishment and make it look legitimate by falsifying the computer system records. They freely mine information and use it against people and companies. They are able to get ridiculous articles in local/national media supporting their abject nonsense such as the "carbon inventory" the children were seeking prior to their case being dismissed in appeals. An **exhibit within Exhibit 11** is my Amicus Curiae briefing about that filed in the 9th Circuit Court of Appeals.

126. Exhibit 11 is an Amicus Curiae briefing I filed in a New York District Court. I also mailed it as a crime report to Federal Bureau Investigation, Secret Service Agency, and to Attorney General at Dept. of Justice. Another **exhibit within Exhibit 11** is what appears to be e a completely forged highly prejudicial local "Order" that was used to dismiss my prior damage recovery lawsuit (and the facts/evidence) with no discussion or hearings. Christian Rowley, Peter Urias, and David Campbell were apparently the RICO Actors who perpetrated that forgery, which under the circumstances is tantamount to murder of the American Justice System.

I swear under penalty of perjury and the law that the above declaration is true.

Signed, ________________________________
Andrew Clark 3270 Stoney Ridge Rd. Eugene, OR 97405 541.510.3915
February 15, 2020. OperationSunriseLaw@gmail.com
EXHIBITS FOLLOW THIS PAGE.

Exhibit 1

Sheriff Joe Arpaio's Favorite Law Firm, Ogletree Deakins, Cost Taxpayers $2.4 Million -- in Just Two Years

By Sarah Fenske

Published Wed., May 26 2010 at 8:00 AM

L. Eric Dowell, rainmaker

The battle for control of Maricopa County -- pitting Sheriff Joe Arpaio and County Attorney Andrew Thomas against the Board of Supervisors, judges, and county administrators -- has been costly to both taxpayers and the parties involved.

But it's been a major boon to one local law firm.

Ogletree Deakins, a relatively obscure firm specializing in employment law, became Arpaio and Thomas' go-to legal counsel just as the disputes were heating up. And, according to public records obtained by *New Times*, the firm has billed the county for a staggering $2.49 million since January 2009.

Most of the work had little to do with employment law -- and most of the firm's representation has been unsuccessful, legally speaking.

Ogletree Deakins has fought for the sheriff's right to take over the county's computer system. They tried to argue that the supervisors didn't have the right to sweep money from funds controlled by Thomas and Arpaio. They're currently pressing Arpaio's assertion that he shouldn't have to open his books to county auditors.

And, according to the billing records we looked at, it appears likely that Ogletree lawyers may have even been behind one of Arpaio/Thomas' biggest embarassments: the criminal charges they filed against the county's presiding criminal court judge, Gary Donahoe.

As *New Times* first reported earlier this month, prosecutors filed criminal charges against Donahoe without bothering to seek a grand jury indictment. They simply filed a direct complaint, and attached a "probable cause" statement that, almost word for word, matched a complaint that the sheriff's office had filed with the Arizona Commission on Judicial Conduct one week before. That complaint, detailing a conspiracy theorist's view of Judge Donahoe's conduct, was signed by Arpaio's chief deputy, David Hendershott.

It now appears that Hendershott had some help penning the letter.

According to its billing statements, Ogletree charged the county $27,310 for something titled "MCSO State Bar/Judicial." The first two invoices with that notation were submitted on December 1, 2009 --

just one day after Hendershott filed "his" complaint with the judicial conduct commission.

So did an employment law specialist draft the document that became the basis for the criminal charges against the county's presiding criminal court judge? If nothing else, it would explain why the document drew guffaws from seasoned prosecutors. Ogletree's lawyers were likely in way over their heads. (And really, what was prosecutor Lisa Aubuchon thinking, merely regurgitating Ogletree's letter as a criminal complaint?)

According to the billing statements examined by *New Times*, Ogletree also advised Andrew Thomas on matters involving the State Bar. (That cost the taxpayers $18,929). And, they advised either Arpaio or Thomas -- the billings aren't clear -- about issues relating to the selection of a new county attorney. (That cost us *another* $12,762.)

Finally, Ogletree billed the county a staggering $1.2 million for something described only as "contract compliance." County Spokeswoman Cari Gerchick told *New Times* that county administrators have no idea what that means.

We contacted L. Eric Dowell, a shareholder at Ogletree Deakins and the sheriff's lawyer of choice, to ask about the "contract compliance" payments, but we hadn't heard back by press time. We'll post an update if we get an answer.

In the mean time, looking at the wasted $2.4 million and the unexplained $1.2 million and the tens of thousands of dollars for failed legal adventures -- well, we never thought we'd say this, but we actually miss Dennis Wilenchik. Yes, *New Times* disagreed with Wilenchik on just about everything. But Wilenchik handled some pretty tough cases for Arpaio, not just political crap that should have never made its way to a docket.

And Wilenchik, unlike the sheriff's new $2-million-counsel, actually knew how to win.

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WELLS FARGO HOME MORTGAGE

Exhibit 2

Letter had 23 pages of technical proof of the rate and sales system issues.

Wells Fargo Home Mortgage
MAC P6279-011
100 East Braodway
Eugene 97401

Tel: 541 344 4770

April 17, 2011

Mark Oman
Sr. Executive Vice President Home and Consumer Finance
1 Home Campus, 4th Floor
Des Moines, IA 50328

Dear Mr. Oman:

I am Retail in a mortgage office separate from a Bank. Wells Fargo policy as I understand it, my ethics, and my perceived market needs require me to send this documentation to you.

Retail interest rate/fee appears to be materially higher than other local mortgage sources. The difference is large and obvious to Realtors. Referrals based on relationship marketing or theoretical factors such as security or brand name may be a form of 'steering' if our rate is significantly higher as it appears to be. I provided cost estimates from Brand-X lenders and Retail rate/fee data on the same loan for the same day (April 15). Google provided the same-day rate sheet from a wholesaler specializing in prime conventional which supports the Brand-X cost sheets.

This causes us to be locally competitive in niche areas such as manufactured homes, small loans, and programs such as Rural Guaranty or State Bond. These loan types have extremely high dollar-weighted origination costs. This is worsened if prime loans are cheaper elsewhere and their significantly lower dollar-weighted transaction cost does not fully offset the niche cost.

WFHM has at least two levels of management above me who spend all of each day interacting among themselves, attending various teleconferences, and emailing material that is generally already on our Homepages. These layers seem to go back to olden times before automation and centralization. The origination systems (AOW/LIS and CORE) and our corporate-level controls and communication eliminate all relevance of that structure. These layers appear to complicate improvements, baffle corporate communication, and contribute to downstream expenses. Many of these individuals were and should be again talented Mortgage Originators. There is so much selling and closing to do, especially if we have the best rates and fastest service.

I attached email in-box printouts from the three levels above me as documentation. I included sample messages so you may gauge the nature and extent. Projecting from my limited facts suggests Wells Fargo pays $200 - 400 million a year for these functions and they have a net-negative effect on acquiring, controlling, or closing loans at the Retail level.

If more documentation or input is needed, please contact me. Thank you very much.

Sincerely,

Andy Clark
Home Mortgage Consultant

Together we'll go far

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Exhibit 3 -transcripts of police audio

Fired on June 27, 2011. City of Eugene Police first show up at my home July 18, 2011
http://www.youtube.com/watch?v=RNYU3tDTm3M (case sensitive or via www.RisePatriot.com)

I came home 7.18.11 and found two large armed police were in my yard staring through a side window. I drove past my home and parked a few hundred feet up the street. I assumed my home was being robbed or something. There was a squad car parked outside my home, it was about 5:15 pm. Police liked to come to my home in the evening in order to defame me in front of neighbors and to prepare the neighborhood for their later action, which as it turns out was premeditated by Wells Fargo et al.

How did that HR email get to west side Eugene Oregon SWAT along with their mental health profiling, and threat painting? Police do not come for email. A well being call is usually 30 seconds long and very rare outside of families. Police cannot come out to a home to issue a trespass warning just as they cannot go to people's homes to issue a "murder warning" or a "pedophile warning". It is very hurtful to the family and neighbors. It is Wells Fargo/Ogletree Deakins uber-terrorism. They cannot select a crime, go to a person's home at night in uniform with squad car to warn them not to commit it.

Police had already insulted me by the time I "felt obliged" to invite them inside. I was placed in a corner of my own home and two very menacing armed police gawked around the house as if they owned it.

<u>Andy (Clark) and Two City of Eugene Police (armed, large, in uniform with squad car in the evening)</u>
<u>In my Home at 3270 Stoney Ridge Rd, Eugene OR 97405</u>

Andy: do you need any phones or anything, anything in my house is yours, you need food,

Police: (inaudible) No, we are good

Andy: So this is all retaliation and I am not trying hurt them, I am trying to settle a lawsuit with them without going to court.

Police: (in the background one police officer is saying "advise him we are recording him....")

Police: Let me just real quick

Andy: Ok, please, thank you, I like to be recorded, I appreciate it.

Police: OK I have a recording device...

Andy: and I appreciate that you have a recording device, I am hoping you do record and I am asking that you record.

Police: Ok, so, they felt that you sent some threatening emails and you me if I was a company and I did something wrong and I was going to be sued I would be upset with you so I understand their standpoint and I also understand your standpoint but what they are looking for is that you probably don't have any more contact with them. They want you to stay away from the Wells Fargo Banks, they say you have been trespassed from the Wells Fargo Bank.

Andy: I did not.

Police: Well they said that....

Andy: I swear that I did not....

Police: no no no I am here letting you know now that you are trespassed and that you are not welcome in the Wells Fargo Bank.

Andy: Right but I have an account there though

Police: Ok well I would ....

Andy: I will take care of it, don't worry. I didn't go into Wells Fargo Bank.

Police: Ok you pounded on the window or something of the downtown branch?

Andy: no, uh uh, since I have been terminated I went downtown, I did not pound on a window someone waved at me so I waved back, that is all I did, they are lying.

Police: OK

Andy: they had security, they fired a lot of people and I didn't make any money there and really didn't care about the job, they fired a lot of people and they never put out security before. They put out all these security guards to make the people there believe that I was a threat. I don't own a gun I always told people I think they should make ammunition illegal for people to buy because guns are your right to have but not necessarily the ammo and then I told them that because I don't know how to use a gun you are 11 times more likely to die of gun death if you don't know how to use one and you know most of the Joes who get one don't know how to use one, they don't practice it, it is more of a man-thing. I am a complete pacifist in all ways, that has been part of the problem. You understand I have been reporting business events since April 15 its all documented and feel free to look around as you feel free I have an open house (one of the police was actively looking around the house. It was a mild form of search, they were looking for a reason to search further)....the business events related to systems fraud progressed up to some very high levels of activity there and I have all the reports I am happy to provide anything you need. I already told them I am going to court, I documented it, because (inaudible) so fast you know I just keep emailing it.

But the whole thing gets down to being what they did there is this one woman Elise Reiser in Des Moines and they put me on this...and I kept reporting "you guys you are doing this fraud of this system" I had it all documented and everything and I kept reporting it and reporting it and they would not listen and they kept trying to fire me and they then they tried to refer me to mental health, I don't know if you guys heard those (?) strategies but it's the things corporations do. Then they issued me a special computer which records and videos in the house and I have a signal detector and I watched so I watched it go on And I reported all this all along ok and I am telling you and I told them each step of the way I felt like the Jew being put on the wagon train and and so that was while I worked there. I told them that for several weeks and they wanted me to go to this counselor in San Francisco, her name was Peggy Burns. Well if you go look her up turns out she is a Wells Fargo contractor a Catholic Christian Counselor, and it turns out Elise Reiser is with the Catholic Church and Katy Johnson, the one who did the pretexting call what they tried to do you are going to love this one on June this one sorry this is important (the police officers were almost laughing by this point), on June 16 they did a pretexting call they called me accusing me of armed robbery in the state of Oregon and they sent me up to Corvallis you know to go to the public record there and two people there to help me and there is no public record against me and furthermore the government checked me out 4-19-11 for my SAFE (S-A-F-E refers to the SAFE Act licensure 423909. So she called with this manufactured evidence I went up there, I mean we are talking that serious so you understand what they did you probably heard of companies doing stuff like this maybe the police, well this one did it.

Police: Here is the interesting thing. It sounds like there is a lot of issues going on.

Andy: Yes sir, and I will stay away from their bank.

Police: Just so you and I are clear, they don't want you going on Wells Fargo properties or in the Wells Fargo Bank.

Andy: And I haven't, I haven't, let them know I am sure I have not. See that's the part, there was a guy out front and I didn't recognize him and I went and shook his hand his name was Rick but I have a right to do that on the street right go up to someone and shake their hand? (he was staring at me so I thought perhaps he might know me). There was a guy out front I did not recognize him

Police: maybe on the sidewalk but I wouldn't go onto their properties...here is one of the other issues is and I am just going to throw this out there, if they feel you are being a threat or something like that they can get a restraining order requiring you to stay 100 yards away from them...

Andy: well can I get a restraining order against them to not send people out asymmetrically against me.

Police: well you can definitely request that you can request that through the judge...

Andy: I will do that

Police: um the other thing is if I could also recommend you probably shouldn't email them anymore because they are going to use those emails against you.

Andy: well again, yeah right

Police: so if you got an attorney and you mentioned you have an attorney

Andy: I don't have an attorney

Police: Well you mentioned you were going to sue them or file more reports or something like that. If I were you I might just go through an attorney if you need to contact them. Or, you mentioned that you have been in contact with the FBI maybe just have them handle there's, the stuff on their end.

Andy: no what I think what I will do is call their board of directors, that is what I think I will do.

Police: of Wells Fargo?

Andy: their outside board, their outside board of directors, they work for other companies, it is my right as a shareholder or 401k participant. I mean, what I am trying to do is head off a lot of legal action, the courts resources and I think you guys can agree that the job of everyone is to try to negotiate solutions before they go into court. So what I have tried to do via email over and over and I would be happy to show you each email right this second, I am happy to.

Police: I believe you, I believe you, what is it you are trying to accomplish by contacting the Board

Andy: I am trying to get them to see I think it is all channeled there such that people who make decisions there don't see it.

Police: and the board is the Wells Fargo Board?

Andy: That is correct, it is an outside board meaning the shareholder and citizen have a right to contact people as long as it is not through Wells Fargo per their request i. First of all, I think everyone has the right to mail a certified letter through the US Mail, is that correct?

Police: Yes and no, but if they end up getting a restraining order against you you can't if they feel something in the letter is threatening they are going to use that against you. My recommendation to you is that I would not contact them any more. Use an attorney. Use an attorney. You are precluded...if you show up on their property you will be arrested and it could turn to the point where if you email or mail them it could end up you will be arrested you understand what I am saying.

Andy: I totally understand and I will (inaudible) if anyone has any problem with my compliance please give me a phone call, why don't I give yougive me my phone numbers ok?

Police: that would be great.

Andy: cellular phone is 541-510-3915 and my home phone is 541-343-2667 (deactivated).

Police: ok, are you employed right now?

Andy: no, no, right now I am working with them, I am not really that hurting for work right now, the job was not much to be honest with you so I am not too worried at this time.

Police: ok, just for record keeping purposes, what is your social security number?

Andy: (starts to say it...it is on the official original audio uncut, police then ask where I was born, I edited that 3 seconds out of the audio for confidentiality) does this go into a record or public thing in some ways

Police: no it does not

Andy: I can't ask them all this and you are an agent of them at this point.

Police: We are an agent of the City of Eugene and somebody expressed a concern for your safety and wanted to make sure you are ok. I just have to show my sergeant, my boss, that I checked and you, Mr. Clark....

Andy: I was born in Los Angeles

Police: Ok, I just wanted to show that I contacted you

Andy: (Inaudible, this is so wrong..) this is so weird, do you guys understand that every now and again a human in the world did the right thing and reported everything? You can obviously tell that...if I took the trouble to make a 100 page FBI report that had system screen-printouts showing the fraud clearly and then filed a DOL (Department of Labor) it caused a lot of troubles, don't you think they are going to retaliate? You see they.... have an asymmetric power to retaliate. You know, asymmetric, they can pull every little plug one of their board members runs a giant security company. You know, it is very hard to fight against them, it really is. I know you are all part of their little game and I appreciate it but that is what they are playing, a little game. And I recognize their rights and their ability to play their horrible game

Police: let me ask you this, you mention you have been unemployed and whatnot. Are all your needs being met?

Andy: I am OK........ understand my home is owned free and clear, I think I am doing OK.

Police: ok, do you feel the desire to harm any of the Wells Fargo employees.

Andy: no, I never harmed anyone in my life, I never harmed anyone in my life...see this is what they have done, they have tried to paint me as a threat..

Police: no, it is just general questions I am asking you, are you thinking about harming yourself (highly insulting question, it is designed to irritate or pretext a response)

Andy: NO, NO but I don't get to ask them these questions, I don't get to send you guys to ask them, how fair is this? Do you understand that lack of fairness? This is what has been happening since I first started reporting April 15. You are asking me some pretty....look at my situation up here, I got a nice house in a pretty nice neighborhood it is owned free and clear according to the public record, I have been in the community forever....forever..... so I just feel that the questions you are asking although I will happily give you any answers you want...happily....I feel it is part of the system, you see what I am saying, they have been using for a long time, I am documenting.

Police: (inaudible) Right, our job, you have to understand is public safety. Here is the deal I have been doing this for awhile and I come in contact with people who lose their job....

Andy: no, no, I am ok...

Police: ....and yet you end up, some people I come into with want to retaliate some people want to harm themselves. ....

Andy: I just went to the bank, I have $24,000 sitting in the bank in cash and got two of their checks for $2,000 total I am holding them un-cashed for evidence. Do you see what evil what they did and what they put you up to I don't like what they did (inaudible) they turned on their video in my house, I had a video detector so I put on a little show up here in Eugene OR {bank to me =SELCO credit union}...and that is the way it is, I don't have to be embarrassed I mean if they (inaudible) I mean I have a right to do what I want in my house.

Police: right, you mentioned they had concerns about they wanted you to talk to a counselor did you talk to any counselors?

Andy: why would I?

Police: well I talk to counselors, it is no big deal

Andy: well I don't, I am not insane and I have no mental problems so why would I?

Police: OK (used skeptically with voice tone sharply rising between 'O' and 'K')

Andy: Here is the way you know something is right, it is when it is a fact, you guys are police officers you know there is a right or wrong (inaudible or hard to hear for about 15 seconds. I was describing my exercise routines including activity such as of rope climbing, scuba, biking, in attempts to convey my general level of health at that time}

Andy: {after the minute of hard to hear exercise talk}... All of a sudden, oh and I was a good producer there, I did a lot of their loans, I was one of their top producers but what are you supposed to do when you document system fraud and then your manager I have the emails and letter to company "stop your whining" and you have to {inaudible} and you need to stop your whining and conform to my branch culture well he happens to be Mormon well he can do that but when it blows into this when you understand when you are trying to report a business issue.

Police: you are turning it into a big issue, especially when there is a company that large.

Andy: it is business.

Police: is there anything else you need....

Andy: Do either of you need to use the restroom (inadible)?

Police: (no....)

Andy : If you would want to take this….. 12 pages of documents I wanted from them but you can see that I asked them some pretty tough questions about the operations. I even had to report to the CIA in Hyderabad and then do you know what they (Wells Fargo) did this was three weeks ago, then on July 7 (2011) they derisked their India Operation I am telling you guys I was reporting the mother of all problems and they just didn't want to hear it. And I have not gone on their property, I have gone by their property on the way to the Tuesday market and that was one time. (*note: CIA reporting was via the Hyderabad Consulate. I reported to them my concerns and also told their technology EVP Avid Mojdtabai via her cellular phone. Her cellphone call is on my home phone and she might recall speaking with me.)*

Police: We actually got the call from someone else. Nice to meet you, I appreciate your time, thank you, have a good night.

Andy: I appreciate it, thank you….tell them that I really cooperated and I really feel it was (inaudible)

Police just to recap: don't go on their property, stay away from them I wouldn't call them and I wouldn't write them, I wouldn't text message or email them

Andy: ok no worry I just (inaudible)….actually but nobody who works at that company, nobody who works for Wells Fargo, right?

Police: Yes sir, alright, thank you Mr. Clark

(last 30 seconds of audio is me looking for my car. You will hear me wondering in shock what I did with my car. I parked it far up the street assuming my home was being robbed, walked down, spoke with the police unrecorded outside for about 2 minutes then was placed in a chair in the corner of my kitchen by the two large armed police in uniform. I had forgotten that I parked it almost a full block away so I could carefully approach my own home)

The audio recording is almost an hour long mostly empty. After the police came to my home about email I went down to the police station to complain. I also paid for the police audio recording made in my home the hour before. Without changing the order or context I used an audio editor to remove the inaudible/empty portions. It is posted on http://www.youtube.com/watch?v=GIhTA_f2qro (case sensitive) or via websites: www.risepatriot.com or www.osunrise.com.

It seems that police turned their microphone on to record me complaining at the police station and did not turn it off when they went back into their building. They started the recording after I was talking with them so the first few sentences were not recorded. I started out asking police WHO at Wells Fargo sent police to my home and police are "answering" that question.

Conversation outside on the steps of the police station

Throughout this part of the conversation, I use the term "police" to mean either police A or B or both.

Police - I am going to have to look it up and contact that person and explain you know that I told you that you were not allowed back on Wells Fargo property.

Andy- But but but are you going to tell them that....

Police- You need to let him finish talking, Mr. Clark ok

Andy- Ok

Police- and that you are fine, that you have been advised you are not going to go back on their property and that there is no issues between you and them and he is going to say OK and he is going to be done with it and you are going to be done with it and we are going to be done with it....

Andy-who's he? Who's the person who....

Police- I don't have his name on me right now.

Andy-is there a way I can get that without paying $60 (paid that for the audio, was not refunded)

Police-it is a security, head of security or something like that with Wells Fargo.....

Andy-....they're playing games, they are playing games you guys, you have been used, I am sorry

Police- so what do you need me to do right now

Andy – what I want you to do is get back with them first of all to let them know I came down here and I want to give this to you and let them know this is what Andy gave us. I am a citizen. They had the right to give you something don't I have the right to give you something?

Police- they, they, what do you want me to do with it?

Andy- I want you to tell them... say "look, we went out there but here's what it is, guy sent this email, if you have a different email because if you have a different email maybe we need to talk to Andy about lying"

Police – and here's the deal you gotta understand. Everyone interprets things differently and that's why I am saying my recommendation to you is to have all communications with them through an attorney.

Andy- right but they told me last to [route] everything through Timothy O'Hara (Wells Fargo Human Resources in Minneapolis).

Police – well that is obviously turning out bad because somehow they misunderstood the genocide comment.

Andy – no, no, look, look you guys is there someone else…please is there someone else… I am sorry I am not going to make a complaint against the police I never will, I told you that.

Police-right

Andy- but I don't feel I am being listened to. I do not. I feel that because security called you, you believe them. I feel that is the case.

Police – what is it that you think I believe?

Andy – I want you to tell them that "Andy disagrees, Andy said he didn't trespass, Andy wants the evidence that he trespassed, why Mr. Security are calling me, why are you….

Police- they are not saying you trespassed. They are saying they do not want you on their property anymore…

Andy- great, well I don't want them on my property, call them up and tell them that,

Police- I will tell them that

Andy- tell them I have the right to walk by on the street please without being harassed by Alan Martin and Rick their security guy. (note: Rick may not have been security guard's name.)

Police- you have the right to walk by on the sidewalk but when it turns into an issue….

Andy- but it didn't turn into an issue….

Police – listen to me, listen to me…..if it turns into an issue they are going to end up getting a restraining order which says you can't go within 100 yards so not only can you not walk on the sidewalk there you can't even walk on that block and that is not something you want.

Andy – no, no, I am going to deal with it. You guys, you are being tricked by their security guard. They have really done something to me. I will take care of it….

Police- all they ask is that I tell you not to go there any more.

Andy – all I am asking you….I have an ability to say that I am filing a police report against the person who called saying it's a false police report.

Police – there is nothing false about it….

Andy – yes it is, they said I sent a threatening letter, I want this looked at to see if there is anything threatening about it.

Police – anyone can interpret anything anyway they want....

Andy – so what do I do...do I go to court with defamation, libel, is that the type of thing I do? I guess that is what I gotta do.

Police- right and I would probably contact an attorney to see if you have something there.

Andy-well, you do. When they call police to go out to your house then the judge looks at it and he goes "well you guys this really is not all that threatening maybe they shouldn't have gone out" that is what a judge would say

Police-well, I am sorry you felt it was an invasion of your privacy

Andy –very, very invasionary [inaudible]...that a corporation has the asymmetric right, I mean that's what shocks me and I am putting this on record to you as supervisor that it absolutely shocks me as a citizen of Eugene that corporation from nowhere ...you know some security person....calls up and you believe them and you don't even see them or know who you are? And you believe them more than you believe me who sits right in front of you and you came into my home?

Police – we believe they have the right to request that you don't show up on their property.

Andy – right and I have the right to request they don't harass me when I walk by on the street, that is why I am asking.

Police – we'll advise them of that.

Andy – I appreciate it.

Police – Anything else I can do for you.

Andy – and advise them I didn't trespass on their property...

Police – they are not saying that you did trespass. If you go back in the future you will be trespassed...

Andy – and advise them I have a bank account there and if there is a bank account I have the right to go into their bank, advise them of that (I did not go into any of their facilities or even go near the door). I have a right...I have a bank account there, they can't deny me my money, we both know that. OK.

Andy-get back to them and...

Police – I have you phone number right here your cellphone.. and I will let you know what they say about how they want you to get your money out of there.

Andy- again, I don't have to take my money out of the bank, it is not an issue...

Police – well it sounds like that might be the best idea

Andy- I don't know...

Police – they can remove your money for you

Andy – yeah, they can close my account. If they want to close it and mail it to me that's great, ok, that's fine. But what I am trying to get to you guys is that I am standing right here in front of you, I am a good guy looking you guys right in the eye and telling you guys the honest-to-gosh truth...I filed FBI reports, big ones, and SEC report, I got numbers. This isn't where people make up reports, I got the numbers so don't you feel I am being retaliated against? I feel that way, let them know "Andy feels retaliated" can you let him know that specific word?

Police – I will tell him that.

Andy – I appreciate that, if you can do that for me then I won't mention we ever talked because I was never here, thank you guys.

Police – thank you Mr. Clark.

(Police now walk back inside the police station. They had a conversation and called Wells Fargo as is clearly heard on the audio recording. As noted before, most of the 1 hour audio PAST THE ABOVE and the call to Wells Fargo was empty or inaudible to me.)

Police A – You have the phone number for the security guy? (just moments before they told me they would have to look it up).

Police B- yep.

(Police Woman in Background is inaudible to me, she asks Police A what is going on and he answers. She may be saying something about me calling and calling)

Police A – He is just crazy as [inaudible]he's... If you can wrap you head around it Wells Fargo let him go because he was being crazy.

Police Woman in background – nooooo (voice tone that was in agreement with Police A).

Police A continues – they offered him counseling and this that and the other thing and his saying the CIA he is in contact with the CIA and FBI and Wells Fargo gave him a security video of his home they surreptitiously placed a video camera, jokes on him, he.......

POLICE B CALLS WELLS FARGO MARTIN OGNO IN PORTLAND. DURING THE PAUSES YOU CAN HEAR POLICE A IN THE BACKGROUND, WHAT HE SAYS IS VERY IMPORTANT, IT EXPLAINS THEY "GOT THE DIRECTION TO GO OUT TO MY HOME FROM..."

Police B – Hey Marty, how are you ! Hey this is Officer Eshe of the Eugene Police Department, heyyy, I tried calling you earlier and I was getting another call and I have been busy and I wasn't able to take your call earlier. I haven't even checked my voicemail to see if it was you who left the voicemail. But we spoke with Mr. Clark, Mr. Andrew Clark ...

{Heard in the background Police A talking to policewoman: well no, we actually got direction from.... inaudible to me but I infer it was probably Martin Ogno but cannot say for sure. Better sound equipment such as used by FBI would reveal more from the audio}.

Police A – yes he was. Yeah, so we spoke with him and obviously there are some issues there, I told him he was not welcome at any of the Wells Fargo properties, especially the Downtown Branch but not at any of the properties. But he was upset you know, side note he felt it was unfair he was trespassed from your properties so he wanted me to ask that you guys were trespassed from his property, (chuckles), not that you guys would have any reason to be there but ah and then the other issue is he is concerned about he says he has an account there with money in it and if he is not allowed on the property he wants to know how he is going to get his $24,000 out of his account. (note, police incorrectly remembered from the in home audio me saying I had $24,000 in the bank. It was in a credit union as coincidentally heard in the later police car video).

{10 second response by Martin Ogno}

Police A – ok, so yeah I don't know what your guys' policy is there but if you could drop him a {?} saying this is the remaining balance ……..3 second delay…. Yep, yep, that's where he's living….

{8 second response by Martin Ogno}

Police A- you know he did a little bit of rambling but ah yeah he is a little bit different, yes.

{12 second response by Martin Ogno}

Police A – ah no, he says he doesn't have any guns or anything like that and he thought they should be illegal, he said that h had no intention to harm you guys or anyone down there and he's not been a physically violent or confrontational type person is what he told us. He did say that about a week ago or so he was walking down the street and the manager and security guard from the Wells Fargo Bank down there they uh they flagged him down or waved him over or something and he felt he was harassed by them and asked that you guys don't harass him

{several second response by Martin Ogno}

Police A – yeah and he told also that since he was filing reports with the FBI and the CIA against you guys you guys were retaliating, yeah, so… excellent, excellent, so I am glad we are on the same page, no problem Marty again my name is Officer Eshe spelled Esch don't hesitate to call back, thanks, bye……..

Police Call In Date: 7-28-11 c. noon regarding alleged trespass by Andy Clark Call Length: about 4 minutes 40 seconds

Dispatch refers to the City Worker who is heard taking the call. She is technically not the actual dispatcher. She relays information to the person who uses the 'radio' to summon police.

Jack Christensen is a Securitas Guard "Brin" may also be. She is consulted by the Securitas guard. It is not clear if she is a Securitas worker, a Wells Fargo worker, or some other agent.

Audio can be heard on: www.youtube.com/watch?v=Pj4_YrCyC8g (case sensitive) or can be linked via Evidence Sites: www.risepatriot.com backed up on www.osunrise.com.

Dispatch: Eugene Fire and Ambulance

Securitas: Hello, my name is Jack Christensen and I am a security officer for Securitas um I am currently down at the Wells Fargo Home Management Branch at 100 uh East Broadway Street um and I have been told you guys have been informed already that there is an Andy Clark um and that he is no longer allowed near the premises of Wells Fargo and I just saw him trespassing on company property just about five minutes ago and he has been around here twice today already. *(10 seconds silence*'

Dispatch: Hang on just a second *(5 seconds silence)*. What' s your callback number?

Securitas: 541 uh 255-5414

Dispatch: And what is the suspect's name?

Securitas: uh Andy Clark

Dispatch: Alright and how old is Andy?

Securitas: How old is he?

Dispatch: Yeah.

Securitas: Brin, how old do you think Andy Clark is? In his mid-fifties.
(Brin is not heard but she is consulted several times in the audio. I do not know if Brin worked for Wells Fargo or Securitas or some other entity.)

Dispatch: White male?

Securitas: Yes

Dispatch: How tall is he?

Securitas: How tall would you say he is? *(he seemingly consults Brin again)*. About 5-9 (I am 5-7)

Dispatch: Heavy thin or medium build?

Securitas: um ah uh about heavy-medium build

Dispatch: medium to heavy build?

Securitas: yeah

Dispatch: what color is his hair and is it long or short

Securitas: uh short grey hair

Dispatch: what color shirt is he wearing?

Securitas: um he was wearing a dress shirt, it looked to be plaid he is currently on a bike *(referring to bicycle)*

Dispatch: what kind of pants

Securitas: it looked like he was wearing shorts like just normal cargo shorts. He does wear glasses. *(I do not wear plaid and never owned a plaid shirt).*

Dispatch: Ok and what kind of a bike was it?

Securitas: um I didn't get a good look at the bike but it was a mountain bike, it was a Specialized mountain bike. *("Specialized" is a brand name. Their bikes have the logo printed prominently on their product. I owned a Trek hybrid mountain bike. It is among the most typical bike style).*

Dispatch: That's the brand name, is Specialized?

Securitas: what is Specialized?

Dispatch: yeah that is a brand name Specialized is that what you are saying?

Securitas: um it might have been um but I am not sure.

Dispatch: what direction was he last seen going?

Securitas: ah he was seen going on Oak Street um he was going...South. *(Oak Street is three lanes of northbound traffic and a turning lane. It is a busy one way street from the south to the north).*

Dispatch: but he was on property?

Securitas: yeah.

Dispatch: and what is the branch name of the bank?

Securitas: Wells Fargo *(8 second silence)*

Dispatch: and he has been there twice today?

Securitas: yes (5 seconds silence) and he has been told before several times he is not allowed on the property.

Dispatch: and you are willing to press charges?

Securitas: well, I am only the security um who has been posted at Wells Fargo.

Dispatch: ok so is the Bank willing to press charges

Securitas: Actually I would not know you would have to talk to the branch manager about that. I was just instructed that if he does come on property to call the non-emergency number or if he starts causing a ruckus to call 911 but I am assuming they want to press charges but I can't say for certain.

Dispatch: Hang on just a minute. (8 second silence). OK well we have a trespass letter on file so that will be Yes. Alright, ok, uh (8 second silence). Ok, if he comes back call us while he is on the property and I have given it to the dispatcher for uh (district?) car information for ah if they can locate him.

Securitas: Ok so just call this number again if I see him again.

Dispatch: yes

Securitas: alrighty

Dispatch: ok and uh do you is the bank wanting a contact by downtown if we can't if we are unable to locate him?

Securitas: um as far as I know they want to get this resolved as fast as possible, I've been instructed to call um non-emergency or 911 depending it my judgment um but they do want to um end this quickly (Securitas guard is heard making what I interpret as an amused short chuckle followed by a 3 second silence)..so

Dispatch: ok so I am I'm going to let the dispatcher know to have someone contact you, OK?

Securitas: alrighty, bye

Dispatcher: bye

Exhibit 4 8.22.11 Sample pages from transcript from Wells Fargo's EMERGENCY Slapp Suit hearing

No. 6:11-cv-06248-HO
August 22, 2011
Eugene, Oregon
TRANSCRIPT OF ORAL ARGUMENT
BEFORE THE HONORABLE MICHAEL R. HOGAN
UNITED STATES DISTRICT COURT JUDGE
-:-
Deborah Wilhelm, CSR, RPR
Court Reporter
P.O. Box 1504
Eugene, OR 97440
(541) 431-4113
APPEARANCES OF COUNSEL
FOR THE PLAINTIFF: ELIZABETH A. FALCONE
AMANDA A. BOLLIGER
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com

Three attorneys- seems like overkill and overbilling.
<<<< So much for "equity" in the courts

FOR THE DEFENDANT: ANDREW G. CLARK, pro se
3270 Storey Ridge Road
Eugene, OR 97405
(541) 510-3915

Case 6:11-cv-06248-AA Document 82 Filed 04/27/12 Page 2 of 15 Page ID#: 9461

(Monday, August 22, 2011; 11:01 a.m.)

P R O C E E D I N G S

THE COURT: I'm familiar with your filings and so I'd ask you not to repeat those. If there is something you wish to add orally, I'd be happy to hear that at this time.

Anything more for the bank?

MS. FALCONE: Your Honor, Wells Fargo is happy to rest on the papers as to the point of preliminary injunction. However, we would like to bring your attention to the fact that there are several items in the temporary restraining order that have not yet been complied with.

THE COURT: All right.

MS. FALCONE: Those are the enumerated items numbers 2, 3, 4, and 5, which required the defendant to identify in writing all of the trade secrets and confidential information in his possession, custody, and control; to disclose in writing the identity of any person, entity, or destination to which he transmitted, posted, or communicated confidential information; to return the originals and all copies of trade secrets and confidential information to counsel for Wells Fargo. And we are unsure whether the fifth point in the temporary restraining order asking him to preserve electronic evidence has been complied with. We simply haven't received any communication one way or the other on that, Your Honor.

And I apologize for not identifying myself. I'm Elizabeth Falcone, counsel for plaintiff, Wells Fargo.

THE COURT: Thank you. Mr. Clark, do you have anything to add?

MR. CLARK: Yes, I do. You've got some -- quite a bit of information from me on this, Your Honor. And the first thing is, as you'll probably notice, I don't know if I should talk to you, I'm a little unfamiliar and I apologize.

THE COURT: You should talk to me.

MR. CLARK: Thank you very much. The first thing is is that the Web site in question was long ago decommissioned. I took it off voluntarily. It was part of an overall process, Your Honor, that I -- I worked at Wells Fargo Home Mortgage and I saw a very sad national situation. And it was the fact that every time anybody turned around, the bank was getting sued by somebody, and they were bringing all this garbage into courts across the country, okay? And I -- I'm nobody. I just -- I don't have a lot. I don't have much at all, and -- but I'm just a person who worked at a company and didn't like what I saw where too many people were coming after a good company, and they were doing wrong

<<< They wanted me to disclose trade secrets. I was a lowest level worker, one of 5000 in similar position. Within 5 minutes any person would consider it to be a rigged, broken process. They sealed my actual evidence with no hearing.

They were WRONG about confidential data, etc. They demonstrated complete lack of Wells Fargo Banking matters selling a deadly, expensive legal response.

more for the plaintiff than the plaintiff might be.
It's a very strange scenario, Your Honor. I think
that's all I have for you today.
THE COURT: Thank you very much. Is there
anything further?
MS. FALCONE: Yes, Your Honor, just three brief
points. First, we wanted to confirm that the
declarations that were submitted Friday will be part of
the record that the court will consider in determining
whether to grant the preliminary injunction.
THE COURT: I'll consider everything that's
been submitted.
MS. FALCONE: Thank you, Your Honor. We also
have Mr. Douglas Grenz available with us who is one of
the declarants.
The second item is there was an answer -- a
document that was filed by the court as an answer that
asserted some arguments under the anti SLAPP theory.
And Wells Fargo simply wants to request that it may
formally respond to those in a motion form -- in an
opposition form, if that is what the court desires.
And then, finally, I wanted to respond to
Mr. Clark's statement that the Web site was
decommissioned. It is true that at the last time I
personally viewed the Web site, it did not appear to
contain any further links containing proprietary or
customer information. However, the law is clearly
settled that an action for an injunction does not become
moot simply because the defendant has voluntarily
complied with some of the relief requested.
The standard is whether there is a possibility
of recurrence. And here we respectfully submit that
there is since Mr. Clark has never acknowledged that he
does not have the right to possess or use the
information. And the case -- the most recent case on
that point from the Ninth Circuit is FTC versus
Affordable Media, LLC, which is 179 F.3d 1228.
The bank certainly has grave concerns here that
Mr. Clark will return to his former conduct and begin

One example of their endless
and obvious manipulation of facts
and constant use of logical fallacy of
all types.

Look how they criminalize early on

posting consumer and proprietary information or
disseminating it to third parties unless there is some

Exhibit 5 Recent Crime Report on a detail

February 4, 2020 **Wells Fargo Employment Retaliation via False Arrest**

Federal Bureau-Investigation 9109 NE Cascades Pkwy, Portland, OR 97220
Secret Service Agency (Banking System Security) 805 SW Broadway #520, Portland, OR 97205
Attorney General Dept. of Justice 950 Pennsylvania Avenue, NW Washington, DC 20530-0001

Allegation of Fraudulent Use of FBI's NIBRS System by Eugene OR Police Officer Erik Klinko Upon Direction of Wells Fargo's Employment Attorneys (Ogletree Deakins)

Wells Fargo via Ogletree Deakins Employment Law attorneys Leah Lively, Elizabeth Falcone, and David PR Symes in Portland arranged false arrest and engaged in a host of other physically violent Criminal RICO Crimes They repeatedly concealed their activity in the courts using "color of law" legal processes to obstruct hearing of evidence. Their defense against the incredibly rare worker who parks evidence in advance and in-person at the local FBI office likely is using their documented influence over some Eugene Police Officers to have me input into NIBRS as a violent threat. **First attachment** is one of many news articles from Maricopa County AZ in the same timeframe showing Ogletree Deakins involved in fee gouging and false arrest via fraudulent use of official systems in the 'Sheriff Joe' case. **Gangland attorneys such as Ogletree Deakins are a national problem.**

Factual Summary

Here in small town Eugene Oregon, Wells Fargo used employment attorneys Ogletree Deakins in Portland to retaliate for reporting to FBI, etc. Their first move was to hire Securitas guards to create the illusion of a threat and to make a false police report that led to my false arrest. That 911 call recording and transcript are posted along with other police/court recordings that absolutely proves false arrest and use of local police to silence me and to retaliate for reporting. It appears to be a well-practiced but highly illegal business activity by attorneys who completely lack regulation and conceal their activity using justice system fraud and all manner of public corruption.

While still employed and after, I was admitted in to Eugene OR FBI office to perform crime reports and deliver evidence pursuant to employment at Wells Fargo in Eugene OR. At the time, Criminal Resource Manual 1729 specified that a Citizen who files such federal crime reports is a **Federal Witness or Informant** regardless of whether FBI investigated the underlying crime reports.

I already have complete evidence from police and court systems of totally false arrest by City of Eugene Police acting as agents for Wells Fargo and Ogletree Deakins Employment Law. It includes legal, officially created audio recordings of police in my home and in their headquarters. It is all posted on **www.RisePatriot.com** and **www.WellsFargoWitz.com**

If Confirmed: Fraud and Misuse of NIBRS May Be a Common Tactic

In 2017 I learned that if I was input into NIBRS it would cause me to be flagged in a large number of threat identification systems that feed off NIBRS or other downstream systems. For example, it appears it may have been used as the sole basis to trigger the removal of guardianship of my retarded adult son due to an interface with Oregon's OPUS system that shows him in a conservatorship. The court audio and other records of that are in Oregon's OJIN system and on **www.WellsFargoWitz.com.**

Two pages of police reports are attached. Complete report at: www. risepatriot.com/policereport.pdf Notice on the first page of attachments I was put on a police-only computer database of potential threats on 9.16.11….*almost two months **after** false arrest.* The officer wrote that the database included DMV records. The only system I could find like that was FBI's National Incident-Based Reporting System (NIBRS) which is part of the NCIC system. I wrote to local police and our "police auditor" asking for clarification repeatedly without response. Regardless of system(s) used I assert the profiling was highly prejudicial and was subsequently used to justify all forms of local abuse of me.

Second page of attachments clearly indicates corruption of FBI processes and discussion of my Wells Fargo Bank data. Martin Ogno claimed to local police 'FBI are not taking my reports seriously'. That was a bad lie. Access the full document. Read how defaming it is. It is all unrelated to alleged trespass and obviously false. The cops made it up from thin air. Notice their frequent psychological profiling based on what Wells Fargo /Ogletree Deakins told them from Portland. They included psychosexual nonsense such as I "threatened to rape my bosses". Both bosses were men and nobody reported rape fears. Audio records (posted) of police talking to Wells Fargo security agent Martin Ogno in Portland in advance give further indication of Wells Fargo influence and control of local SWAT resources.

Banks have video and when none could be produced because there was no trespass… charges were dismissed but mission accomplished by Wells Fargo et al: mugshot was published, I was locally destroyed, responsibilities to act as guardian for my retarded adult son was taken from me, I was SLAPP'ed into District Court over absolutely nothing on "emergency basis" in the Mediation Mill of retired Mediator/Judge Michael Hogan. I was falsely arrested and it appears it allowed the NIBRS fraud. <u>Following the trail will allow FBI to stop the practice nationally.</u>

This matter is being included in a Federal lawsuit against Wells Fargo, Ogletree Deakins, and the people who perpetrated major federal crimes against me….a lowest level worker who was admitted into local FBI on several occasions to park crime reports and evidence.

Thank you FROM ANDY CLARK 3270 STONEY RIDGE RD. EUGENE OR 97405 541.510.3915

First page of a 2 page article. It along with several others are at: www.RisePatriot.com/theybbad.pdf

Sheriff Joe Arpaio's Favorite Law Firm, Ogletree Deakins, Cost Taxpayers $2.4 Million -- in Just Two Years

By Sarah Fenske
Published Wed., May 26 2010 at 8:00 AM

L. Eric Dowell, rainmaker

The battle for control of Maricopa County -- pitting Sheriff Joe Arpaio and County Attorney Andrew Thomas against the Board of Supervisors, judges, and county administrators -- has been costly to both taxpayers and the parties involved.

But it's been a major boon to one local law firm.

Ogletree Deakins, a relatively obscure firm specializing in employment law, became Arpaio and Thomas' go-to legal counsel just as the disputes were heating up. And, according to public records obtained by *New Times*, the firm has billed the county for a staggering $2.49 million since January 2009.

Most of the work had little to do with employment law -- and most of the firm's representation has been unsuccessful, legally speaking.

Ogletree Deakins has fought for the sheriff's right to take over the county's computer system. They tried to argue that the supervisors didn't have the right to sweep money from funds controlled by Thomas and Arpaio. They're currently pressing Arpaio's assertion that he shouldn't have to open his books to county auditors.

And, according to the billing records we looked at, it appears likely that Ogletree lawyers may have even been behind one of Arpaio/Thomas' biggest embarassments: the criminal charges they filed against the county's presiding criminal court judge, Gary Donahoe.

As *New Times* first reported earlier this month, prosecutors filed criminal charges against Donahoe without bothering to seek a grand jury indictment. They simply filed a direct complaint, and attached a "probable cause" statement that, almost word for word, matched a complaint that the sheriff's office had filed with the Arizona Commission on Judicial Conduct one week before. That complaint, detailing a conspiracy theorist's view of Judge Donahoe's conduct, was signed by Arpaio's chief deputy, David Hendershott.

It now appears that Hendershott had some help penning the letter. 24

According to its billing statements, Ogletree charged the county $27,310 for something titled "MCSO State Bar/Judicial." The first two invoices with that notation were submitted on December 1, 2009 --

NIBRS? >>

Ogno asked about obtaining a restraining order, to which I explained how those orders were typically reserved for individuals involved in romantic relationships. He also had questions about a lap top computer which Clark was reportedly refusing to return. In the end, it was decided by Ogno that he would continue to monitor the situation, but did not wish police intervention at that time. Given the potential for a work place violence incident, I did put information about Clark, including his DMV photograph, on a police only site for information sharing, so officers working in the downtown area, would be aware of a potential problem.

As Clark's behavior escalated, according to Ogno, both in terms of e-mails to Wells Fargo employees and site visits to the downtown office, I continued to converse with Ogno, answering questions and trying to give direction.

On July 18th I spoke with Ogno by phone. He told me of Clark reportedly showing up at the downtown branch and banging on exterior windows, causing great alarm to employees. He said he also had yet to recover the lap top computer that had been assigned to Clark. Ogno told me he would both like officers to check the welfare of Clark, whose bizzare behavior seemed to be escalating, and officially inform him he was trespassed from any and all Wells Fargo institutions. Given the situation, I agreed to have officers do so.

I directed Sgt. Magnuson to have two officers check on Clark's welfare and to advise him not to return to Wells Fargo property without explicit permission from Martin Ogno or other representatives. Because of this contact, and the information I had previously disseminated about the potential for work place violence, Agent Shulke, whom works downtown on a bicycle, was aware of Clark and the situation. It was this knowledge which led him to have contact at Wells Fargo on July 29th, where he document an incident of trespass, which subsequently led to Clark's arrest by Officer Te'o.

I have had no contact directly with Clark nor recent contact with Ogno.

Why input 1.5 months
AFTER event? >>>
Remember: 2nd degree
muni trespass with SWAT
and jailing...then dismissed due to no trespass per bank video.

Added Note: this page and the next page come from this Eugene OR police report.

http://risepatriot.com/policereport.pdf

Eric Klinko
#338

09162011 1030

Approved By: D. L. Mozan 244

was Officer Pieske who was there with us during the contacts and told Clark that Officer Pieske concurred with my findings in the matters. I asked Clark if there was anything else I could do for him. Clark said there was nothing else I could do for him and he left city hall.

Also per Sergeant Klinko's request, I contacted Marty Ogño, head of security for Wells Fargo. I called Ogno and told him I had contacted Clark and that he had been advised he was trespassed from all Wells Fargo properties. I also told Ogno Clark was concerned he had $24,000 in an account at Wells Fargo. Ogno said he had looked it up and though Clark only had about $200 in an account, but that he would close Clark's account and mail him a check with the remaining balance. Ogno asked how the contact went. I told Ogno that Clark felt he was being retaliated upon for contacting the FBI and CIA with Wells Fargo's wrong doings. Ogno said that he had been in contact with the FBI and told me that the FBI did not take Clark's reports seriously.

>>>>>

FBI would not say that.

Notice no person at FBI is referenced.

It is corruption of FBI processes and obstruction.

At approximately 1900 hours, dispatch advised that Clark had left a phone number for me to call him back so he could further discuss his desire to press charges against Wells Fargo for filing a false police report. I requested Sergeant Magnuson respond to the report writing room where I was working on reports so I could discuss the situation with him before calling Clark back. While I was explaining the situation to Sergeant Magnuson, Dispatch advised that Clark had called back 3 more times requesting contact. I then asked Sergeant Magnuson if he would contact Clark in my behalf in that I was unable to effectively communicate to Clark that Wells Fargo had broken no laws and that they had the right to trespass Clark from their properties.

Reviewed by FTO: **Pieske** — Name; **112** — Badge

Esch
#623

07-19-11 2330 Hours

Approved By: Magnuson 122

Ogletree Deakins

Exhibit 6 - They were wrong... all public records as proved to court and sealed. Certainly does not represent $75,000 in damages needed for suit.

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.
Attorneys at Law
The KOIN Center
222 SW Columbia Street, Suite 1500
Portland, OR 97201
Telephone: 503.552.2140
Facsimile: 503.224.4518
www.ogletreedeakins.com

David P.R. Symes
503.552.2141
david.symes@ogletreedeakins.com

September 13, 2011

Via Email and First Class U.S. Mail

Mr. Andrew Clark
3270 Stoney Ridge Rd.
Eugene, OR 97405
mir99@comcast.net

Judge C
431 4159

RE: Wells Fargo v. Clark

Dear Mr. Clark:

Pursuant to your request, an itemization of documents that we believe contain confidential information can be found in the documents described below. If the same information described below is contained in differently titled documents, it should likewise be considered confidential and delivered to me:

- From the document entitled "**Wells Fargo Operations Report**," (sometimes referred to as "All 175 Pages"):[1]
  - First and/or last names and account numbers of loan applicants or customers of Wells Fargo found on page 37 and 38 of your Wells Fargo Operations Report;
  - First and/or last names of loan applicants or customers of Wells Fargo set forth in the "Realtor Activity Quick Entry Log," run by you on May 24, 2011, and found at page 49 of your Wells Fargo Operations Report;
  - The first and last name and address of the loan applicant found in e-mails located on pages 86, 87, 89, 96, 100, 104, 106, 110, and 115 of your Wells Fargo Operations Report;

[1] This same information was posted under the URL www.wfopsreport.com/Clark_scanpgs_072911.pdf.

Ogletree Deakins

- The last name and loan number, as located on the RE line, of the e-mails found at pages 115-119 of your Wells Fargo Operations Report; and
- First and/or last names of loan applicants or bank customers found in paragraphs 28, 29, 39, 40, 41, 48 and 50 of pages 178, and 180-183 of your Wells Fargo Operations Report.[2]

- From the document entitled "**Wells Fargo Information Controls**":
  - First and/or last names of loan applicants or customers of Wells Fargo found in paragraphs 28, 29, 39, 40, 41, 48 and 50 of the document.

- From the document entitled "**Letter to Mark Oman**," and dated April 17, 2011:
  - First and/or last names of loan applicants or customers of Wells Fargo listed in the "subject" column of the "saved received – Microsoft Outlook" pages attached to the letter to Mr. Oman. This same information is found at pages 31 and 33 of your Wells Fargo Operations Report.

Contrary to your assertions, Judge Hogan's order is not limited only to electronic documents; it applies with equal force to paper documents, such as those we are requesting returned:

> Within a reasonable time **not to exceed five business days**, of receiving actual notice of this Preliminary Injunction, by personal service or otherwise, Clark shall immediately return to Wells Fargo, by mailing to Wells Fargo's counsel, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., via certified mail, the originals and all copies of **<u>paper documents</u>** containing or constituting Wells Fargo's trade secrets and confidential information, specifically including, but not limited to, any information concerning current or former customers of Wells Fargo or of any Wells Fargo subsidiaries.

Order, page 9, ¶4 (emphasis added). Moreover, Judge Hogan found "**Defendant Clark has already disclosed confidential information through his website and his filings.**" Order, page 7, ¶5 (emphasis added). Thus, it is incorrect that the information described above is "public" and not subject to the preliminary injunction.

[2] This same information was posted under the URL www.wfopsreport.com/problems50_01.pdf.

Ogletree Deakins

We are willing to work with you, Mr. Clark, on a method of returning the above-described information in a way that preserves it for you as "evidence." We believe we have been accommodating in suggestions on ways to accomplish this result (*see* letter dated September 9, 2011). However, we must insist that you comply with returning the information to us as was mandated to be done by Judge Hogan's August 23, 2011, Order.

Sincerely,

David P.R. Symes

DPRS/rmv

10951428.1 (OGLETREE)

Exhibit 7-sample of nonsense pleading

Leah C. Lively, OSB No. 962414
leah.lively@ogletreedeakins.com
Elizabeth A. Falcone, OSB No. 111694
elizabeth.falcone@ogletreedeakins.com
Amanda A. Bolliger, OSB No. 103452
amanda.bolliger@ogletreedeakins.com,
Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
The KOIN Center
222 SW Columbia Street, Suite 1500
Portland, OR 97201
Telephone: 503.552.2140
Fax: 503.224.4518

Attorneys for Plaintiff Wells Fargo Bank, N.A.

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

EUGENE DIVISION

WELLS FARGO BANK, N.A.,

Plaintiff,

v.

ANDREW G. CLARK,

Defendant.

Case No.: 11-cv-6248-TC

EXHIBIT 4 TO DECLARATION OF LEAH C. LIVELY IN SUPPORT OF PLAINTIFF WELLS FARGO'S MOTION TO COMPEL AND ORDER REQUIRING DEFENDANT TO COMPLY WITH STANDARDS OF PROFESSIONALISM IN ALL COMMUNICATIONS WITH WELLS FARGO AND ITS COUNSEL

FILED UNDER SEAL

October 12, 2011

SUPREME COURT **Law Center**

Clark, Clark, and Tortuga

Attorneys at Law Pro Se

David P.R. Symes, Managing Partner
Ogletree Deakins et all
The Koin Center
Portland, Oregon

FAX Cover Memorandum
From the Office of Andrew G. Clark, Attorney Pro Se
Supreme Court Law Center
Clark, Clark, and Tortuga

Dear David;

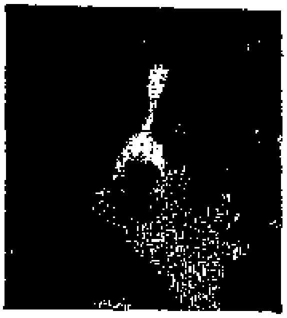
First, let me apologize that our Legal Material Processing Center sent a previous fax that was not meant to be sent to you. It appears we included Police Reports and a variety of non-Confidential Material. Our entire Legal Staff found it amusing as it contained explicit allegations of possibly homosexual managers and police for arresting a Jew after they Screwed him Beyond Comprehension and he was told to "Stop Whining." all on corporate email and saved despite Managers fervent, desperate attempts to recall the message but...it was already printed. I continue only because your office may have specialty experience and interest that is insightful to Article III Attorney Pro Se Clark

Novel Case: our legal investigators determined that the Jew Employee actually allowed the practice without limits for 2 years to avoid being burned. Seems what set the whole thing off was they cut back on the Vaseline Allotment and it hurt so much even the Jew-to-be-Burned chose burning as an acceptable alternative to perpetual sexual slavery, manager-police predatory and roaming armed homosexual Nazi activity. Seems Ernst Rohm still runs the Schutzstaffel here in Eugene in benefit of Corporate Sponsors. Odd....history repeats itself so exactly. Lockstep.

I dare to say that first need was the apology especially for that accidental note regarding billing our marketing to Clients. Oops. Butterfingers, no pun intended. I wanted to note again and say thank you and that our review of your September 13 letter has no confidential data or secrets as my evidence in court showed. That gives more credence to the rest of the Evidence, don't you think?

Our office determined via Survey that the matter is so far out that it is unbelievable. That is what the client thought... he actually put in writing he thought police made a mistake until he actually saw the evidence. Fascinating case, too bad your Specialty is not as Glamorous but, that explains why I am

October 20, 2011



Mr. David P.R. Symes
Ogletree Deakins, et al
Via Fax

Dear Mr. Symes:

My name is Doggie McStyle. I was Attorney in Federal Court August 22 with client Andrew G. Clark.

I just wanted to drop you this note thanking you for sending those fine Bitches down for Federal Court. I dare say matters of the human are needlessly complex. Let us bypass all that and get to the Meat of the Matter.

I sniffed the butt of the fat Bitch. She smelled like she was in Heat but unless she was rolled in flour so I could find the wet spot, there was no way in. When I later discovered the Bitch in the Middle was guarded by Doberman Pinscher my fear of Animal Control and neutering suggested sniffing the Butt of the Healthy Short-Haired Bitch on the left. She was the leader of the pack and her Power was impressive.

As Ordered by Court, I thought you were going to arrange to have that Bitch sent back down here for deposing and debriefing. Here is the issue. A Border Collie is the smartest dog and nobody is afraid of it. The Doberman is fairly smart but in a mean way so people are afraid. When sniffing the butt of the short haired Bitch, I perhaps whiffed signs of other Bitches in Heat in the same Kennel. That is why both are needed for debriefing and deposing.

Thank you in advance for your cooperation.

Signed,

Doggie McStyle, Partner, Bovine Control Division

Legal Pros – Legal ProSe - Legal Pros – Legal ProSe - Legal Pros – Legal ProSe - Legal Pros – Legal ProSe – Legal Pros

September 8, 2011

Humane Society Urgent Update
Special Attention of *David Symes*

The Humane Society has been very successful in preventing such horrific treatment to non-farm animals. No longer must a dog die needlessly in the cold. No longer must a cat suffer, thanks to YOUR support of the Humane Society. When an animal is rescued from the street, it is cared for and kept warm.

Unfortunately, this is not the case with human beings. The Humane Society recently learned that when the SWAT Teams drag innocent people from their homes to satisfy the objectives of large corporations. They are emplaced in brutal jail holding environments that are not by any means fit for a dog.

We are asking for a very generous donation from you and from any Company you may be affiliated with. This will allow us to branch out and establish the "Human Society".

Give generously. Your donation matters if we are ever to achieve a Human Society. Thank you in advance for your support.

Signed,

Lassie McFeline
Executive Director

Analysis of Ogletree Deakins/Attorney Steven Seymour Letters Found in Evidence

(Copies of the referenced letters follow this 3 page analysis)

The corporate attorneys hired a specialist attorney to "take care of their problem." Online research indicates Atty. Seymour is well-connected to Lane County. He is, nominally, a very reputable attorney. Anyone has the right to write letters to our police and prosecutors. *What is shocking is how no matter what this Citizen wrote, it was disregarded and derided as a PHYSICAL threat. It was carefully cherry-picked for offense, not for its exculpatory content, which was the majority of it.*

That contrasts with Atty. Seymour's letters which are taken as Gospel by police and prosecutor amid clouds of fealty and influence peddling and used to create the ultimate personal threat: false arrest/kidnapping using corrupted police/prosecutors. Here are significant features of the letters:

Generally, it is not how stalking complaints are handled. Oregon has well defined procedures and somewhat defined mandates for Stalking Protective Orders prior to stalking arrest in communication-only situations. State of Oregon v. Ryan appears to support that concept and is included as another exhibit. Such direct and long-term involvement of an attorney for a corporate stalking complainant appears to have absolutely no precedent, probably because nobody ever imagined a corporation would try to access stalking laws, particularly attorney who should be acting less aggressively and creatively with the Oregon Law for their corporate and personal benefit.

May 30, 2013 letter to Det. Tony Veach, Eugene Violent Crimes. This letter was almost two months prior to the July 18, 2013 police visit to my home to share their personal Art opinions with me under color of law. That suggests there was no actual threat or police would have intervened at that time. Waiting two months to talk to me about the conduct indicates police/corporate emotional entrapment activity. Most insulting to Lane County, he transmitted to our police a cartoon vampire picture from a Youtube Art Video I created. Prosecutor Hasselman held it up in Demurrer Court as the most concrete and positive evidence of an actual threat. It is a cartoon vampire picture on Youtube. If people don't like it, they do not have to watch. If they hate it and complain to Youtube, it is usually summarily removed by Youtube out of caution. So, they had many other options they did not use, instead selecting the absolute most aggressive path of jailing. Art is not stalking nor is it a threat.

The trail of his influence peddling and name-dropping is clear. He mentions Prosecutor Barkovic suggested they talk. That implies Barkovic likely reported that back to Attorney Seymour as if it were an operational progress report. It suggests there were telephone calls and maybe other letters or emails. It is undue influence by fealty and via assumed authority of Attorneys in legal matters, never considering they are CIVIL attorneys fulfilling corporate interests and are much more powerful than the Citizens our leaders are supposed to be representing.

June 21, 2013 letter to Prosecutor Erik Hasselman: this is a formal request for stalking protection order, dated a month before the actual arrest. *Important: Leah Lively is not listed as a complainant.* She could have personally applied for a stalking protective order and it would have been instantly granted, that as not applied for or obtained. That is corporate-arranged usurpation of Oregon Law.

There is no benign reason I can think of that satisfactorily explains why a Stalking Protective Order was not presented to a judge (as requested). There is no apparent reason for police waiting another month after that dire letter reporting "imminent fear of personal violence" to mention it to me. The only reason I found is that it appears Ogletree Deakins/Attorney Seymour was working a different track with Tony Veach and the purpose of the Stalking Protective Order letter and the personal Hasselman meeting was to facilitate prosecution once an ARREST was accomplished.

Here are some important details of the letter:

1. The only recipient who received exhibits was Det. Tony Veach. They appear to have been routed through the Prosecutor's office to Det. Veach. It is possible that if the others (attorneys) saw the exhibits they would not have approved any actions against me.
2. Dr. Dennis Davis is shown in the CC's His biography is attached. He never met me, we never talked. He is a doctor by benefit of PHD but appears to have tight connections with police and police processes. I assert his name was placed there to provide police/prosecutor some notion of authority from a professional. I assert it is also prima facie conspiracy.
3. The second page of the letter states that 2500 communications were sent to them in two years. That was 'morphed' by Tony Veach to "2500 to Ogletree Deakins regional offices" which was parroted by Prosecutor Hasselman. That was never confirmed to be accurate and the actual number is maybe 250, which is a couple per month on average.
4. The second page also states the entire staff is in fear of imminent violence yet did nothing in Portland about it, indicating they were lying and exaggerating in writing to our Prosecutor. Regardless, no such threat was ever confirmed by police.
5. They cherry-picked the choicest comments out of context. It is like all those CNN headlines that make a reader 'click' but then the story is not as dramatic as the headline. It is an advertising technique, not stalking. Taking material out of context and presenting it as a threat is a deceptive practice without presenting the majority-content or the background facts.
6. They speak of a two year period but the Arrest Information speaks only of a one year period. Logically, any numbers they use in letters should correspond to the timeframe of the charges.

So should any evidence but that is not the case and many of the faxes in evidence have no receipt date or recipient, many are duplicated.

July 18, 2013 letter from Attorney Seymour to myself: this letter was found in my home by Det. Tony Veach during the home/computer search and seizure. He collected my mail for me and opened it which does not appear to be provided for in the search warrant. I assert he needed another warrant to search, open, and seize US Mail but I have nothing to hide . Nevertheless, it is major exculpatory material and demonstrates simultaneous corruption of police and prosecutor to affect arrest while pretending to Prosecutor they want a stalking protective order.

I did not collect my mail in that timeframe due to my circumstances then I was placed in jail for a week on July 25, 2013. It is understandable that I did not see that letter as it was placed in a bag by others in the home while I was incarcerated and upon release, the back-mail was not a priority.

Once again: this letter does not show Leah Lively as a complainant. It is the FIRST constructive notice necessary to obtain a Stalking Protective Order. There was no basis for the arrest and the letters indicate Police took matters into their own hands with arrest. Other communication with police/prosecutor indicates there was significant contact between Det. Veach and attorney Seymour just prior to the arrest.

The letter implies to me a very direct, immediate communication channel between Atty. Seymour and Det. Veach, who allowed himself to be corrupted over time by their fealty and name-dropping. Once arrested and jailed Prosecutor Hasselman was, possibly unwittingly "stuck between a rock and hard place". I am convinced if Mr. Hasselman had all the facts up front he would have not prosecuted.

Simply put: my corporate accusers presented major lies in their complaints to police who acted upon them without confirming them. That is a crime committed by my corporate accusers. It is also shoddy, derelict, improperly supervised corporate-directed police work.

Samuels Yoelin Kantor LLP
Attorneys At Law

Exhibit 8, setup letters sent to local cops

May 30, 2013

Steven W. Seymour
SWS@SamuelsLaw.com

Detective Tony Veach
Eugene Police Department
300 Country Club Road
Eugene, OR 97401

CALL [illegible]
for VAMPIRES

Re: Andrew Glen Clark (W/M, 08/08/1958)

Dear Detective Veach:

This letter follows the voicemail I left for you earlier this week regarding the above-referenced Andrew G. Clark. As indicated in my voicemail, I was referred to you by Daniel J. Barkovic, Eugene City Prosecutor, regarding this matter. This firm represents the law firm of Ogletree Deakins Nash Smoak & Stewart, PC. This is a firm which focuses on labor and employment law, and which has offices throughout the United States, including Portland, Oregon.

For the past several months, my client has been the target of increasingly threatening communications initiated by Clark, as further explained in the enclosed Memorandum. Please note that throughout these communications, Clark has often focused on [illegible] a partner in the law firm's Portland office. [illegible] was the primary attorney representing their client, Wells Fargo, in litigation against Clark.

Also enclosed are the You Tube video (MPEGs →Wells Fargo Vampire Attorney in Court.mp4; beginning at 2:22), referenced in some of Clark's communications, and screen shots from that video which are referenced in the Memorandum.

As indicated in the Memorandum, my client seeks to initiate an action seeking a citation pursuant to ORS 163.744 for a stalking protective order against Clark. The statute provides that the first step is to complete a standard form of stalking complaint. Therefore, once you have had an opportunity to review the enclosed materials, please contact me at the telephone number/e-mail address referenced herein to review the most appropriate procedure for initiating this complaint.

Thank you for your kind attention to this matter.

Very truly yours,

Steven W. Seymour

SWS:jck
Enclosures
07180-40003 331496.docx
Cc: Mr. Christopher Mixon (w/o encls.)
Ms. Leah Lively (w/o encls.)

Samuels Yoelin Kantor LLP
Attorneys At Law

June 21, 2013

Steven W. Seymour
SWS@SamuelsLaw.com

BY EMAIL: erik.hasselman@co.land.or.us
AND FIRST CLASS MAIL

RECEIVED
JUN 24 2013
Lane Co. District Attorney

Mr. Erik Hasselman
Assistant District Attorney
Criminal Division
Lane County District Attorney
125 East 8th Avenue
Eugene, OR 97401

Re: Andrew Glen Clark – Stalking Order Complaint

Dear Erik:

Thank you for taking the time to meet with me last week and for your understanding and support.

Enclosed please find a form of Stalking Complaint as provided in ORS 163.744. From our previous conversation, I understand that you will rework these allegations into the proper format. I am sending the exhibits with the copy of this correspondence sent by regular mail to you and Detective Veach. Once reformatted, it can be provided to Christopher Mixon, General Counsel for Ogletree Deakins, for signature. I can facilitate that process.

Please contact me if you have any questions regarding this Stalking Complaint, or if I can provide any additional information to you.

Very truly yours,

Steven W. Seymour

SWS:smy
Enclosures
07180-00001:336449
cc: Mr. Anthony D. Veach, Detective, Violent Crimes Unit (w/encls.)
Mr. Christopher Mixon (by email, w/complaint, w/o exhibits)
Ms. Leah Lively (by email, w/complaint, w/o exhibits)
Dr. Dennis Davis (by email, w/complaint, w/o exhibits)

111 S.W. 5th Ave., Suite 3800 | Portland, OR 97204-3642 | Phone: 503.226.2966 | Fax: 503.222.2937 | www.SamuelsLaw.com

(23) Fax dated 5/23/2013 1:22 p.m. which reads in part:

"Ogletree Deakins attorney Leah Lively . . . caused a police and SLAPP action against me. . . . I have no option and in fact have the obligation to return in spades what Oppressors deal out . . . until a victim's last breath. As I have written and said hundreds of times during the corporation/community anti-Sementic profiling and cleansing . . . Never Again. This Jew will not go quietly. I will scream loudly, clearly, daily . . . and I will make sure to bring as many of my oppressors with me to the same legal graveyard of ghettoization and defaming . . . endless lawsuits against you and your companies and massive negative publicity. Endless 'smearing.' . . . The innocent-but-rich executives will be "perp-walked and then sent to prison."

8. **Subscribed to and affirmed by:** ______________________________

Ogletree Deakins Nash Smoak & Stewart, PC

Date:__________________ By:______________________________
Christopher A. Mixon, Shareholder and General Counsel

07180-00001:336432

notice Leah Lively not on complaint #2 below they added her in later

STALKING COMPLAINT

1. **Name of petitioner (person presenting complaint)**: Ogletree Deakins Nash Smoak & Stewart, PC, a South Carolina professional corporation, by and through Christopher A. Mixon, shareholder and general counsel, 401 Commerce Street, Suite 1200, Nashville, TN 37219-2246.

2. **Name of person being stalked if other than the petitioner**: N/A

3. **Name of respondent (alleged stalker)**: Andrew Glenn Clark

4. **Description of respondent**: white male, dob 08/08/1958

5. **Length of period of conduct**: May 2011 to present

6. **Description of relationship (if any) between petitioner or person being stalked, if other than the petitioner, and respondent**: From May 2011 until November 2012, respondent was the adverse party to petitioner's client, Wells Fargo Bank, N.A. in the following two proceedings:

a. **Andrew Clark v. Wells Fargo Home Mortgage**, US Dept of Labor, Case No.: 2012-SOX-00003 filed June 19, 2011, filed under Section 806 of the Corporate and Criminal Fraud Accountability Act of 2002, Title VII of the Sarbanes-Oxley Act of 2002, 18 USC § 1514A. and the implementing regulations at 29 CFR § 1980.

b. **Wells Fargo Bank, N.A. v. Andrew G. Clark**, US District Court Case No. 6:11-CV-06248-AA, Complaint for Injunctive Relief.

7. **Description of contact**: During the litigation referenced in Section 6, above, Clark, appearing pro se, engaged in the pattern of offensive, obscene, sometimes lurid, and often hostile communications with the petitioner and its client, Wells Fargo. Some of these communications were styled as "pleadings" and many of them were direct communications to Ogletree attorneys and staff.

The conclusion of the above-referenced proceedings did not, however, abate Clark's deluge of offensive and threatening communications to Ogletree and its attorneys. Clark's communications have continued on an almost daily basis through the present. And, the tone and content appear to be growing more aggressive.

Over the course of this relationship, Clark has sent not less than 2,500 communications to the petitioner. Those communications which constitute threats and instill in the respondent, and its attorneys and staff, a fear of imminent and serious personal violence from the respondent, are attached as Exhibits 1-23 and are summarized as follows:

Exhibit 1

MEMORANDUM

TO: File No. 7180-1

FROM: Steve Seymour

Date: May 30, 2013

CC: Christopher Mixon
Ogletree Deakins Nash Smoak & Stewart, PC

RE: Threats by Andrew G. Clark

1. Nature of Concern

For over a year, Andrew Clark has been using telecommunications to threaten the law firm, Ogletree Deakins Nash Smoak & Stewart, PC (hereinafter "Ogletree") and certain of its attorneys and staff. These threatening communications have triggered a fear of imminent personal violence by Clark.

Ogletree seeks relief in the form of a stalking protective order against Clark prohibiting him from communicating at all with Ogletree or any of its offices or attorneys or staff.

2. Background

Clark (55) is a former employee of Wells Fargo. He was hired in September 2009 as a home loan officer in Eugene, Oregon.

In about April 2011, Clark began exhibiting signs of erratic behavior. At that time, he was disciplined by Wells Fargo for unprofessional conduct in the workplace.

In May 2011, Clark filed a Department of Labor complaint[1] against Wells Fargo for alleged violation of the Sarbanes-Oxley Act. Ogletree was hired by Wells Fargo to defend that complaint.

Clark's erratic behavior continued. He was disciplined on June 2, 2011, for workplace behavior (altercation with his supervisor) and was terminated on June 28, 2011.

In July 2011, Clark was cited for trespass at his former place of employment.

[1] Clark's claim was filed under Section 806 of the Corporate and Criminal Fraud Accountability Act of 2002, Title VII of the Sarbanes-Oxley Act of 2002, 18 U.S.C. § 1514A, and the implementing regulations found at 29 C.F.R. § 1980.

In August 2011, Wells Fargo learned that Clark was posting confidential Wells Fargo customer information on his public website. His refusal to remove that confidential information led to Ogletree filing a complaint for injunctive relief in federal court on the behalf of Wells Fargo. The lawsuit sought a temporary restraining order, preliminary injunction and permanent injunction. Ogletree was successful in obtaining a temporary restraining order and preliminary injunction requiring Clark to remove the confidential client information, which he eventually did.

During the litigation, Clark, appearing pro se, engaged in a pattern of offensive, obscene, sometimes lurid, and often hostile communications with Ogletree and their client, Wells Fargo. Some of these communications were styled as "pleadings" and many of them were direct communications to the Ogletree attorneys and staff.[2]

The DOL case was dismissed on August 9, 2012 on Wells Fargo's Motion for Summary Decision. The federal case was resolved in Wells Fargo's favor on its motion for summary judgment on October 5, 2012. In that case, Judge Hogan issued a permanent injunction prohibiting Clark from posting confidential client material on his public website, and found Clark in contempt, based on his inappropriate communications.

Resolution of these cases did not, however, abate Clark's deluge of offensive and threatening communications to Ogletree and its attorneys. Clark's communications have continued on an almost daily basis through the present. And, the tone and content appear to be growing more aggressive.

Clark sends these communications, not only to Ogletree's Portland office, but also to several of their offices around the United States. These communications have also been sent to random attorneys in Oregon and other states and to the Oregon State Bar.

There is no reason to believe that these communications will cease without judicial intervention.

3. Grounds for a Stalking Protective Order Pursuant to ORS 163.730-163.750

Ogletree seeks to initiate an action seeking a citation pursuant to ORS 163.744. That statute provides that, "A person may initiate an action seeking a citation under ORS 163.735 by presenting a complaint to a law enforcement officer or to any law enforcement agency." Ogletree is such a "person" pursuant to ORS 60.077(2) and 58.045(1). ORS 163.744 provides that the Department of State Police shall develop a standard form of such complaint.

[2] As an example of Clark's pleadings, his "objections" to the findings in the Department of Labor case include the following points:

- "Bottom line is this DOL: go fuck yourself right in your [a]sshole. Your women really need to [d]iscover their clitoris. Most of your men most likely have been neutered, either by castration or Paxil you bunch of fucking pill heads. Your kind sicken all."
- "Please let me advise you in advance of plans to Massively Defame all of YOU . . . You and your Family (all of them once I pull all public records of all of you for the last couple generations and send special video to church, family, affiliations."

"DEFAMING AND FUCKING PEOPLE OVER IS FUN, I CAN'T BELIEVE I DID NOT KNOW THIS."

example of them using Tar and Feathers first followed by hanging or firing squad . . . or at least disbarment and imprisonment."

16. Fax dated 4/28/2013 4:17 p.m. which reads in part:

> "Ogletree Deakins attorney are mean Faggots. . . **They use time-tested "Child Rape Concealment Tactics" . . . Once you see it for what it is, you will want them put to death. It is that bad: what they do and coordinated for the "Bank" should subject them to the Death Penalty.** It is such a novel, horrific crime that is appropriate. . . That allows speedy execution of the Perpetrators of Holocaust (Leah Lively and her cohorts). It allows them to be Hanged by the Neck Until Dead as we laugh but I think an Electric Chair would make better Youtube Art." (Note Exhibits 17, 18, 19, 20 and 22 references to a Youtube video which includes an image of an actor suffering death on an electric chair)

17. Fax dated 5/6/2013 10:24 p.m. which reads in part:

> "All attorney involved in this matter acted illegally and due to my Agency filing there is absolutely no exit and no escape for what Ogletree/Wells Fargo perpetrated unless we Work Together for Progress."

18. Fax dated 5/7/2013 8:33 a.m. which reads in part:

> "NEW MUSIC ART Tool: "Liars, Lawyers what's the Difference" with Extremely BLOODY VAMPIRE Attorney Footage @ about 2 minutes until the end. Art Film depicts District Court, The Judge oozes Blood from its freshly bitten arm into the Female Attorney's Mouth. Another Female Attorney is smearing Blood all over herself in open COURT wearing almost nothing. . .
>
> Dear Ms. Lively: . . .
>
> Nobody wants to think of a really good looking woman as a Felon subject to Life in Prison or the Death Penalty but that is your new reality." (See Exhibit 22 which links to the referenced video.)

19. Fax dated 5/7/2013 9:38 a.m. which reads in part:

> "Art Film depicts District Court. The Judge oozes Blood from its freshly bitten arm into the Female Attorney's Mouth. Another Female Attorney is smearing Blood all over herself in open COURT wearing almost nothing. . .

Dear Ms. Lively: . . .

The simplest solution is usually correct. If you did that, it is <u>my opinion</u> that Specific act of Genocide for economic/political reasons tied into the Kidnapping, Concealment, and the arguably-treasonous violation of Dodd Frank/SOX in context with my Wells Fargo India Solutions reporting is what propels this matter into something so criminal, so novel, that it will require application of the Death Penalty on a Liberal Basis."

20. Fax dated 5/8/2013 7:27 a.m. which reads in part:

"<u>Art Film depicts District Court. The Judge oozes Blood from its freshly bitten arm into the Female Attorney's Mouth. Another Female Attorney is smearing Blood over herself in open COURT wearing a swimsuit</u>. . .

Ms. Leah Lively Attorney Ogletree Deakins . . .

I think Attorney REALLY screwed up. Let's compound it with an Act of Genocide to Retaliate. . . Leah Lively: Literally this-if you personally coordinated this by calling up security at Wells Fargo Bank in Portland to mess with mortgage biz in Eugene and then take my family away, you will be Dealt the Death Penalty if possible under the Law for your disgusting, treasonous, sickening coordinated act of Holocaust. Disbarment is going to happen. You appear to be the worst type of Bank Robber, Kidnapper, and Manipulator. You are a blight upon the entire human race the likes never before seen if you actually did what it seems that you did."

21. Fax dated 5/9/2013 5:33 p.m. which reads in part:

"URGENT UPDATE LEAH LIVELY/OGLETREE DEAKINS

" . . . my recent Vampire Video which was a Grave Yard Hit . . . over 12,000 views in just a couple days. It is on sites or on youtube channel RisePatriot. <u>It can be "our song"</u>. <3 4 u"

22. Email dated May 17, 2013 7:32 p.m. Subject: Andrew Clark dead at Albertson's Supermarket. <u>http://www.youtube.com/watch?v=_Vb--OfEYwQ</u>:) This video is referenced in Exhibits 17, 18, 19, 20 and 21 and shows the scenes referenced in those Exhibits. Screen shots of those scenes are attached to Exhibit 22.

23. Fax dated 5/23/2013 1:22 p.m. which reads in part:

> "Ogletree Deakins attorney Leah Lively . . . caused a police and SLAPP action against me. . . . I have no option and in fact have the obligation to return in spades what Oppressors deal out . . . until a victim's last breath. As I have written and said hundreds of times during the corporation/community anti-Sementic profiling and cleansing . . . Never Again. This Jew will not go quietly. I will scream loudly, clearly, daily . . . and I will make sure to bring as many of my oppressors with me to the same legal graveyard of ghettoization and defaming . . . endless lawsuits against you and your companies and massive negative publicity. Endless 'smearing.' . . . The innocent-but-rich executives will be "perp-walked and then sent to prison."

Another uncommon feature of Clark's campaign is its sheer volume. The communications with the more threatening aspects are outlined above. However, over the course of this campaign, Clark has sent over 2,500 communications to Ogletree and other third parties. This overwhelming barrage is intimidating if only because of the energy and intensity required to provide it.

4. Conclusion

Ogletree has justifiable concerns that, unless abated, Clark's fury will undoubtedly result in violence in the workplace without warning.

07180-00001:329654 Oh please!!!! Look at that lying setup ^^^^^^

COUNT 3

The defendant, on or between August 1, 2012, and July 23, 2013, in Lane County, Oregon, in an act and transaction separate and distinct from all others alleged in this Information, did unlawfully and knowingly alarm and coerce the law firm of Ogletree, Deakins, Nash, Smoak & Stewart, P.C., and staff attorney Leah Lively, by engaging in repeated and unwanted contact with the said victims, this contact causing Ogletree, Deakins, Nash, Smoak & Stewart, P.C. and Leah Lively reasonable apprehension regarding their personal safety, and it being objectively reasonable for a person in the situation of Ogletree, Deakins, Nash, Smoak & Stewart, P.C. and Leah Lively to be alarmed and coerced by the contact; contrary to statute and against the peace and dignity of the State of Oregon;

COUNT 4

The defendant, on or between August 1, 2012, and July 23, 2013, in Lane County, Oregon, in an act and transaction separate and distinct from all others alleged in this Information, did unlawfully and knowingly alarm and coerce the law firm of Ogletree, Deakins, Nash, Smoak & Stewart, P.C., and staff attorney Leah Lively, by engaging in repeated and unwanted contact with the said victims, this contact causing Ogletree, Deakins, Nash, Smoak & Stewart, P.C. and Leah Lively reasonable apprehension regarding their personal safety, and it being objectively reasonable for a person in the situation of Ogletree, Deakins, Nash, Smoak & Stewart, P.C. and Leah Lively to be alarmed and coerced by the contact; contrary to statute and against the peace and dignity of the State of Oregon;

COUNT 5

The defendant, on or between August 1, 2012, and July 23, 2013, in Lane County, Oregon, in an act and transaction separate and distinct from all others alleged in this Information, did unlawfully and knowingly alarm and coerce the law firm of Ogletree, Deakins, Nash, Smoak & Stewart, P.C., and staff attorney Leah Lively, by engaging in rep ted and unwanted contact with the said victims, this contact causing Ogletree, Deakins, Nash, Smoak & St rt, P.C. and Leah Lively reasonable apprehension regarding their personal safety, and it being objectively reasonable for a person in the situation of Ogletree, Deakins, Nash, Smoak & Stewart, P.C. and Leah Lively to be alarmed and coerced by the contact; contrary to statute and against the peace and dignity of the State of Oregon;

COUNT 6

The defendant, on or between August 1, 2012, and July 23, 2013, in Lane County, Oregon, in an act and transaction separate and distinct from all others alleged in this Information, did unlawfully and knowingly alarm and coerce the law firm of Ogletree, Deakins, Nash, Smoak & Stewart, P.C., and staff attorney Leah Lively, by engaging in repeated and unwanted contact with the said victims, this contact causing Ogletree, Deakins, Nash, Smoak & Stewart, P.C. and Leah Lively reasonable apprehension regarding their personal safety, and it being objectively reasonable for a person in the situation of Ogletree, Deakins, Nash, Smoak & Stewart, P.C. and Leah Lively to be alarmed and coerced by the contact; contrary to statute and against the peace and dignity of the State of Oregon;

COUNT 7

The defendant, on or between August 1, 2012, and July 23, 2013, in Lane County, Oregon, in an act and transaction separate and distinct from all others alleged in this Information, did unlawfully and knowingly alarm and coerce the law firm of Ogletree, Deakins, Nash, Smoak & Stewart, P.C., and staff attorney Leah Lively, by engaging in repeated and unwanted contact with the said victims, this contact causing Ogletree, Deakins, Nash, Smoak & Stewart, P.C. and Leah Lively reasonable apprehension regarding their personal safety, and it being objectively reasonable for a person in the situation of Ogletree, Deakins, Nash, Smoak & Stewart, P.C. and Leah Lively to be alarmed and coerced by the contact; contrary to statute and against the peace and dignity of the State of Oregon;

//

COUNT 8

The defendant, on or between August 1, 2012, and July 23, 2013, in Lane County, Oregon, in an act and transaction separate and distinct from all others alleged in this Information, did unlawfully and knowingly alarm and coerce the law firm of Ogletree, Deakins, Nash, Smoak & Stewart, P.C., and staff attorney Leah Lively, by engaging in repeated and unwanted contact with the said victims, this contact causing Ogletree, Deakins, Nash, Smoak & Stewart, P.C. and Leah Lively reasonable apprehension regarding their personal safety, and it being objectively reasonable for a person in the situation of Ogletree, Deakins, Nash, Smoak & Stewart, P.C. and Leah Lively to be alarmed and coerced by the contact; contrary to statute and against the peace and dignity of the State of Oregon;

COUNT 9

The defendant, on or between August 1, 2012, and July 23, 2013, in Lane County, Oregon, in an act and transaction separate and distinct from all others alleged in this Information, did unlawfully and knowingly alarm and coerce the law firm of Ogletree, Deakins, Nash, Smoak & Stewart, P.C., and staff attorney Leah Lively, by engaging in repeated and unwanted contact with the said victims, this contact causing Ogletree, Deakins, Nash, Smoak & Stewart, P.C. and Leah Lively reasonable apprehension regarding their personal safety, and it being objectively reasonable for a person in the situation of Ogletree, Deakins, Nash, Smoak & Stewart, P.C. and Leah Lively to be alarmed and coerced by the contact; contrary to statute and against the peace and dignity of the State of Oregon; and

COUNT 10

The defendant, on or between August 1, 2012, and July 23, 2013, in Lane County, Oregon, in an act and transaction separate and distinct from all others alleged in this Information, did unlawfully and knowingly alarm and coerce the law firm of Ogletree, Deakins, Nash, Smoak & Stewart, P.C., and staff attorney Leah Lively, by engaging in re ed and unwanted contact with the said victims, this contact causing Ogletree, Deakins, Nash, Smoak & Stewart, P.C. and Leah Lively reasonable apprehension regarding their personal safety, and it being objectively reasonable for a person in the situation of Ogletree, Deakins, Nash, Smoak & Stewart, P.C. and Leah Lively to be alarmed and coerced by the contact; contrary to statute and against the peace and dignity of the State of Oregon.

DATED this 25th day of July, 2013 at Eugene, Lane County, Oregon.

1. ORS 163.732/Class A Misdemeanor
2. ORS 163.732/Class A Misdemeanor
3. ORS 163.732/Class A Misdemeanor
4. ORS 163.732/Class A Misdemeanor
5. ORS 163.732/Class A Misdemeanor
6. ORS 163.732/Class A Misdemeanor
7. ORS 163.732/Class A Misdemeanor
8. ORS 163.732/Class A Misdemeanor
9. ORS 163.732/Class A Misdemeanor
10. ORS 163.732/Class A Misdemeanor

ALEX GARDNER, District Attorney

By: [signature]
Erik V. Hasselman, OSB 94510
Assistant District Attorney
Erik.Hasselman@co.lane.or.us

Agency: EGP 13-10194
DOB: 8/8/1958
DA No.: 039271301
FPN:
SII 5971848
FBI: 23042X9

Steve Seymour (x102)

From: Lively, Leah C. <Leah.Lively@ogletreedeakins.com>
Sent: Friday, May 17, 2013 7:32 PM
To: Mixon, Christopher A.; Davis, Dennis A.; Steve Seymour (x102)
Subject: FW: Andrew Clark dead at Albertson's Supermarket. http://www.youtube.com/watch?v=_Vb--OfEYwQ :)

Leah C. Lively | Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
222 SW Columbia Street, Suite 1500 | Portland, OR 97201 | Telephone: 503-552-2140 | Fax: 503-224-4518
leah.lively@ogletreedeakins.com | www.ogletreedeakins.com

From: Andy Clark [mailto:fightfeces@gmail.com]
Sent: Friday, May 17, 2013 7:31 PM
To: Lively, Leah C.
Subject: Andrew Clark dead at Albertson's Supermarket. http://www.youtube.com/watch?v=_Vb--OfEYwQ :)

Exhibit 10
product and proof
of Hobbs Act
violation

FILED
AT 11:55 O'CLOCK A M

JAN 13 2014

Circuit Court For Lane County, Oregon
BY Sakurai

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR LANE COUNTY

STATE OF OREGON, Plaintiff, v. ANDREW GLEN CLARK, Defendant.	Case No. 21-13-14234 JUDGMENT (Bench Probation)

THIS MATTER came before the Court for sentencing on January 9, 2014, the defendant having previously been charged with the crimes of Stalking (Count 1), Stalking (Count 2), Stalking (Count 3), Stalking (Count 4), Stalking (Count 5), Stalking (Count 6), Stalking (Count 7), Stalking (Count 8), Stalking (Count 9), and Stalking (Count 10). The defendant has been found guilty of the crime of **Stalking (Count 1)** by plea on January 9, 2014, and the Court has accepted such plea.

IT IS HEREBY ADJUDGED and entered that the defendant, Andrew Glen Clark, whose date of birth is August 8, 1958, is convicted of **Stalking (Count 1)**. The defendant waived passage of two days before sentencing. This being the time fixed for sentencing, the State appeared through **Erik V. Hasselman**, Assistant District Attorney, and the defendant appeared personally and through counsel **John M. Halpern**. Each party having been given the right to be heard, these proceedings having been reported by FTR Digital Recorder, Courtroom 204, Official Court Reporter, and the Court being fully advised;

IT IS HEREBY ORDERED that any fee, fine, assessment or statutorily required filing fee that may have been imposed in this judgment are waived.

Count 1 -- Stalking

IT IS FURTHER ORDERED that the defendant is sentenced to probation to the Court for the crime of Stalking for a period of **24 months** subject to the terms and conditions set forth below and hereby made a part of this Judgment:

JAN 14 2014 ER
FTR 73384-85
VBL 275 3-28-29

1. Defendant shall violate no law and shall report to the court **in writing** every citation or arrest on any new crime or major traffic offense within five days after citation or arrest. Correspondence should be mailed to: Lane County Circuit Court, 125 East 8th Avenue, Eugene, Oregon, 97401, and all correspondence should include the case number 21-13-14234.

2. Defendant shall keep the Court informed at all times **in writing** of any changes in name or residence address within five days. Correspondence should be mailed to: Lane County Circuit Court, 125 East 8th Avenue, Eugene, Oregon, 97401, and all correspondence should include the case number 21-13-14234.

3. Defendant shall serve a period of **7 days** in the custody of the Lane County Supervisory Authority, with credit for time served, considered served.

4. Defendant shall comply with the limited duration Stalking Order in Case Number 18-14-00649 and all of its provisions.

5. Defendant shall have no contact of any kind with Leah C. Lively, with any employee or staff member of the law firms of Ogletree, Deakins, Nash, Smoak & Stewart, P.C., or Samuels Yoelin Kantor, LLP, except by or with represented counsel.

5. Defendant shall, by no later than February 28, 2014, provide releases from Quality Research Associates (QRA) to the Court and the District Attorney's office so that all parties may kept apprised of Defendant's status with QRA as outlined in the limited duration Stalking Order in Case Number 18-14-00649.

IT IS FURTHER ORDERED AND ADJUDGED that the following counts are dismissed as to the Defendant pursuant to negotiations: **Stalking (Count 2), Stalking (Count 3), Stalking (Count 4), Stalking (Count 5), Stalking (Count 6), Stalking (Count 7), Stalking (Count 8), Stalking (Count 9)**, and **Stalking (Count 10)**.

Thereupon the Court advised the defendant of the rights of appeal.

Dated this 13 day of January, 2014.

Jay A. McAlpin, Circuit Court Judge

Prepared by: E. Sakurai

Exhibit 11 - taking it to New York...contains subexhibits referenced in item126 of detailed factual pleading

In the United States District Court
for the Southern District of New York

Donald J. Trump, Plaintiff	)	
vs.	)	
	)	**No. 18 cv 8694-VM**
CYRUS R. VANCE, JR., in his official capacity	)	
as District Attorney, County of New York and;	)	
SOLOMON SHINEROCK, in his official capacity	)	
Asst. District Attorney, County of New York	)	
and MAZARS USA, LLP	)	
Defendants	)	

Amicus Curiae Briefing of Andrew Clark in Favor of Donald J. Trump

Certificate of Service

I certify I used U.S. First Class Mail 10.14.2019 to serve this filing to:

2 copies mailed for filing to Court Clerk United States District Court for the Southern District of New York 500 Pearl Street New York, New York 10007

1 copy mailed as a crime report to Director of Secret Service Agency 245 Murray Ln SW - BLDG T-5, Washington, DC 20223 **and** Attorney General at U.S. Department of Justice 950 Pennsylvania Avenue, NW Washington, DC 20530-0001 due to the banking system interface of my personal case and massive inadequacy and fraud in court systems.

1 copy mailed to Donald J. Trump c/o 1600 Pennsylvania Ave NW, Washington, DC 20500
1 copy mailed to William S. Consovoy Consovoy & McCarthy 1600 Wilson Blvd., Ste. 700 Arlington, VA 22209
1 copy mailed to Alan S. Futerfas Law Offices565 Fifth Ave., 7th Floor New York, NY 10017
1 copy mailed to Cyrus Vance, Jr. One Hogan Place New York, NY 10013
1 copy mailed to MAZARS 135 W 50th St, New York, NY 10020
1 copy mailed to Board Communications, Wells Fargo and Company P.O. Box 63710 San Francisco, CA 94163

Signed____________________ Andrew Clark 3270 Stoney Ridge Rd Eugene OR 97405

In the United States District Court
for the Southern District of New York

Donald J. Trump, Plaintiff	)	
vs.	)	
	)	**No. 18 cv 8694-VM**
CYRUS R. VANCE, JR., in his official capacity	)	
as District Attorney, County of New York and;	)	__Notice__: this pleading has
SOLOMON SHINEROCK, in his official capacity	)	been filed as a crime
Asst. District Attorney, County of New York	)	report with Secret Service
and MAZARS USA, LLP	)	Agency and DOJ per 18 U.S.
Defendants	)	Code §3 Misprision of Felony

Amicus Curiae Briefing of Andrew Clark in Favor of Donald J. Trump

3270 Stoney Ridge Rd. Eugene, OR 97405 541-510-3915 OperationSunriseLAW@gmail.com
www.RisePatriot.com www.WellsFargoWitz.com Solution: www.TheEugeneBlairProject.com

The reasons given by this and other courts for needing Citizen Trump's tax returns are a false pretense. The only actual intention and result of the effort to obtain tax returns is ENDLESS SMEARING and further violation of Citizen Trump's civil rights. The courts are selectively destroying people and being cynically abused for political purposes. Those tactics should be prosecuted by DOJ and/or Secret Service as criminal violation of 18 U.S. Code §241 and 242 as they are a clear danger to any Presidency and the system of checks and balances. The effect has been to obstruct government operations and give all power to Judiciary which has physical control over citizens.

I assert a clear standing to submit this Brief due to discovery of widespread systemic judicial fraud in my own case. *I see indications of similar fraud in subject case*. I identified and reported judicial fraud by court workers here in Eugene, OR that carried on to 9th Circuit Court of Appeals. The result was the obstruction of facts and evidence in my Wells Fargo employment retaliation case involving "SLAPPING and SWATTING" without any form of hearing; concealed using forged judge's orders. Please Help: Attachment A, FRAP 2 and 48.

Tax returns are not public records; they are private financial documents and citizens have a right to financial privacy. We all know that is true. Subject 500 page tax returns were prepared and reviewed by accountants, attorneys, and CPA's. The majority of Americans pay to have their one-page 1040 EZ filed professionally because they don't feel comfortable with the forms or the process.

IRS and accountants are the experts on the gigantic and infinitely obfuscated tax code. Most judges and attorneys are totally unqualified and untrained to adjudicate matters of "money". Go listen to how well "judges" deal with people's money and family. **www.WellsFargoWitz.com**: legally obtained "family" court audio. Go listen to mind-numbing insanity here in Lane County OR as very cruel and capricious "judges" speak abject nonsense in otherwise empty courtrooms. They horribly violated my civil rights in family court including forced removal of the guardianship of my retarded adult son that was the sole result of being entered wrongfully into the FBI's NIBRS system, arranged by the same gangland attorneys who caused trouble for **Sheriff Joe** in Maricopa County. **Ogletree Deakins Employment Law**. **Read mainstream news how Ogletree Deakins co-opts client systems and had a Maricopa County judge "SWATTED". www.RisePatriot.com/theybbad.pdf .**

Hoards of attorneys viciously use their Hammers of Justice to smash our Bells of Freedom in their totally corrupted courts using co-opted figurehead judges *and unedited case disposition systems.* USA = United States of Attorneys: ½ of 1% of citizens are attorneys. c. 44% of Congress is attorneys. Almost 100% of Judiciary is attorneys. The President is often an attorney. Attorneys have long been using false arrest, smearing, and coercion to influence civil outcomes. It is way past time their actual activity is "outed" and their industry gets regulated via total transparency that focuses on facts and evidence prior to and instead of abusive and immoral "color of law" legal processes specifically planned in advance as a way to smear and criminalize people for political or economic gain.

As a result of system fraud and data manipulation by court workers, almost ALL civil cases get dismissed without hearing while absurd freakish cases are green-lighted. (e.g. in Eugene OR the children's climate change lawsuit, **Attachment B** is my amicus curiae brief reporting the situation to 9th Circuit Court of Appeals and Secret Service which is also in charge of Banking System Security.) *In counterpoint: I acknowledge the vast majority of civil lawsuits are attorney scams. Electronic filing made it cheap and easy to file a District Court lawsuit.*

Most insulting is the endemic logical fallacy of using unrelated case law to make any desired outcome appear legally supported WHILE avoiding hearings or trials of simple facts and evidence. American Bar Association Judicial Canons requires a judge to supervise the activity of the court staff to ensure the law is followed. It appears the conniving staff manage what judges see and hear via their manipulation of the case disposition systems. My case shows that complex law from Washington DC is meaningless in the police cars and jails of America.

Mr. President: the Secret Service Agency is a correct agency to forensically determine the origin of the attorney industry's treasonous "Death of a Thousand Cuts" attack as I specified in Attachment B. Once Secret Service busts a few perps and they will rat out their accomplices in exchange for a small, itchy wool blanket while in America's brutal jails prior to their trial (or suicide or "accidental death"). Meanwhile...Citizen Trump should be filing crime reports and laying out the vile carpetbaggers with 42 U.S. Code § 1983 damage recovery lawsuits. They will claim immunity (as they did in my case) so it is helpful that Judge Marrero apparently provided case law indicating nobody has total immunity.

Secret Service Agency can also determine the nature of the link between the mainstream journalism industry and groups of attorneys. The very best place to start is CNN. Ask journalist Matt Egan where he got the Wells Fargo bogus account news and follow it back to attorneys who work with CNN to make the bad news headlines go away with giant "settlements" to states in exchange for not investigating Wells Fargo. Attorneys take most or all of the money and do it again later. Meanwhile... I and others reported it long before to every conceivable government agency. We were subjected to legal hit jobs and now lay among the dead and dying victims of attorney scams called Dodd-Frank/SOX.

Meet me in real police car a/v, handcuffed and talking banking: www.RisePatriot.com

President Trump: CNN hates on you daily. Attorneys at/for CNN or its related "news" syndicates make it happen by the way they filter "news". The government fines appear to largely or entirely be absorbed the Attorneys as legal fees, etc. Follow the cash. Use communications correlation software. Bring back America by strictly limiting the power of attorneys to ghettoize us all for life by simply calling in a false threat. Corporate and Political SWATTING = 18 U.S. Code § 1201 and I was an FBI witness/informant due to upfront FBI 'parking'.

Huge System Problem: In the 9th Circuit Court of Appeals, clerks use an automated scoring system instead of reviewing a case for unheard facts and evidence. They are able to define any case as "without merit" and a non-published 'order' is junkmailed out with the figurehead judge's robo-signature. Almost 100% of cases submitted to the 9th Circuit are disposed of that way. In my case I will be filing a Demand for Records that forensically determine the amount of staff time spent on my brilliant, fact-and-evidence rich Pleadings. I am fairly certain that nobody on the Court read my completely awesome Pleadings.... but outside attorneys freely mine

everyone's unheard pleadings for actionable information. So there is no trial or hearing of facts/evidence ever and then the appeals court robo-dismisses almost 100% of civil appeals.

Due to the public fascination with "mugshots", arrest....even false arrest.... punishes and ghettoizes people in advance of any court hearing. Massive arrest on vague charges. Jail prior to trial. Seizure of property including intellectual content. Prisons. At Nuremberg Germany in 1946, our justice system today would have been called "the structure of holocaust" as it is not transparent at all. It features selective arrest and jailing, coerced confessions, financial ruin, ongoing traumatic stress via legal battery, complete lack of consideration of facts and evidence, and.... no apparent way to appeal or contest the completely fraudulent result of the primary court.

Signed: ________________________October 14, 2019

Andrew Clark 3270 Stoney Ridge Rd. Eugene OR 97405 541.510.3915
OperationSunriseLAW@gmail.com www.RisePatriot.com www.WellsFargoWitz.com
www.TheEugeneBlairProject.com www.GovernorKate.com

Attachment A is a FRAP 2 and FRAP48 pleading - 15 pages
Attachment B is a related Amicus Curiae -3 pages
The Certificate of Service shows the mailing of the document.

This Pleading and all attachments are posted in .pdf format at:
www.RisePatriot.com/trumptax.pdf

Attachment A

Andrew G. Clark 3270 Stoney Ridge Rd.
Eugene, OR 97405 541.510.3915
OperationSunriseLaw@gmail.com

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

Andrew Glen Clark
Appellant

9th Circuit Case: 17-35247
Local Case No.6:14-cv-01103-JR

vs. Appellees

MOTION and DECLARATION TO SUSPEND FEDERAL RULES OF APPELLANT PROCEDURES TO HEAR EVIDENCE OF JUDICIAL FRAUD, FRCP 60(d)(3)., and FRAP #48 Motion

Emergency Filing

Wells Fargo Bank, NA Attorney of Record
Christian Rowley Seyfarth Shaw 560 Mission St. #3100 San Francisco, CA 94105
Ogletree Deakins et al c/o General Counsel Christopher Mixon 401 Commerce Street #1200 Nashville, TN 37219

City of Eugene, OR Attn: Lauren Sommers 125 East 8th Ave. Eugene OR 97401
County of Lane, OR Attn: Sabastian Tapia and Steven Dingle 125 East 8th Ave. Eugene OR 97401
State of Oregon via Attorney General Ellen Rosenblum –and-
Lane County Prosecutor Erik Hasselman via Cecil Reniche-Smith, Asst. Attorney General for Oregon
1162 Court Street NE Salem OR 97301-4096

This is a Motion submitted under Federal Rules of Appeals Procedure Two to suspend court filing rules to hear recently discovered evidence of extreme judicial fraud and a FRCP 60(d)(3) motion. The endemic problems I surfaced in the justice system are nation-ending. The obstructed facts and evidence of violent federal witness tampering doom Wells Fargo and all involved attorneys so I plead to the court to suspend the adversary system with the concurrent FRAP 48 motion.

Exhibit 1 is for Emergency Hearing

During a transition period between district court judges, a completely forged, externally created order was inserted into Eugene OR's District Court as Docket 68. **Exhibit 1**. My last name is wrong on that one document out of hundreds. That is not possible if the document were created from within the system. That forgery allowed the court staff in Eugene OR to robo-sign all subsequent orders starting with #70. It directly caused my Wells Fargo Racketeering case to be dismissed extra-judicially and without hearing of facts and evidence.

A more formal Motion/Memorandum/Declaration is **also** being filed under Federal Rule of Civil Procedure (FRCP) 60(d)(3) pleading for resolution on the basis of extreme fraud and crime committed against me in order to obstruct justice.
It explains the various fraudulent practices of the attorney industry and how they are able to ‘cheat’ the Justice System in any other case and ‘bury’ their victims.

It imperative the Ninth Circuit Court of Appeals consider the widespread implications of the problems surfaced in the Rule60 (d)(3) motion in light of the complete lack of transparency in the local court.

It should be obvious to any reasonable person that the methodologies used in my situation by adversary attorneys are commonly used all over all the time... even against high-level leaders. I recently reported this situation to Director of Secret Service Agency via letter. That agency ensures integrity of banking systems, Banking systems along with all else is rendered irrelevant by attorneys who are able to use court processes to selectively circumvent reality along with the laws.

My work documents that our legal system has been relegated to an easily-cheated computer system within the courts, run by trusting judges and conniving clerks. In Lane County, the criminal justice system was completely automated and the "judges" parroted what was put in their system by prosecutors. Extreme punishment was dealt out to me prior to hearing of facts and the perpetrators were able to conceal it in our local district court via fraud.

Police and court audio in my case provide a unique and historic view into the reality of the activity. It is all posted on Internet but obstructed in the courts. I carefully and completely proved that "The Structure of Holocaust" exists within our system of justice. It allows unlimited numbers of people to be smeared, defamed, arrested, jailed, and ghettoized at a very low cost per victim and with almost no actual recourse.

Signed and Sworn to as Truth Subject to Penalty of Law

Andrew Clark 3270 Stoney Ridge Rd. Eugene OR 97405 541.510.3915

www.OperationSunriseLAW@gmail.com www.RisePatriot.com

Exhibit 1 District Court Case: 6.14-cv-01103-jr
Ninth Circuit Court of Appeals Case: 17-35247
Wells Fargo's Mafia-Style Employment Retaliation

Forged Order Written Outside the System
Docket 68 – my last name is spelled incorrectly on that 1 document.

I filed a damage recovery lawsuit in our local district court pursuant to repeated, violent tampering <u>after</u> filing crime reports with evidence at local FBI, in person. Then Wells Fargo attorneys perpetrated what amounts to a legal "hit job" against me and frantically employed hoards of attorneys to prevent the evidence (e.g. police audio and video) from being heard. There never was any form of conference or hearings. All orders were a product of pure fraud of the Court's case management system by involved attorneys and court clerks.

The attorneys used a variety of devious tricks to get the case dismissed against facts and evidence. The same fraudulent processes caused the Ninth Circuit Appeal to not be remanded back to Eugene for a trial. I discovered Docket 68 (enclosed) after the appeal. It is a highly prejudicial document that directly led to the case dismissal. <u>My *suspicion* based on what I see is that David C. Campbell of Lewis Brisbois and Peter Urias of Seyfarth Shaw were the people who created the document and got it into the system</u>.

1. I realize court staff commonly sign for judges who under ABA canons must ensure law is followed. Next page is a collection of Judge Coffin signatures. The first two relate to Docket 68 and 70 of subject case. The others come from other random cases. The ones used in my case differ significantly. The third one down <u>*appears*</u> to have been generated by the system but not the others.

2. The signature issue alone lacks transparency. When coupled with the misspelling of my name, Docket 68 is hard-core fraud akin to Murder of the Justice System. <u>I cannot imagine a more serious and alarming situation.</u>

3. Judge McShane told me on the telephone that happened while he was a "transition judge" and now he ducks my calls. The judges never met me. There were no hearings ever. There is only what Wells Fargo and their attorneys-who-are-criminals wrote in Docket 68 in continued attempts to conceal evidence.

Thank you, from Andy Clark 3270 Stoney Ridge Rd. Eugene OR 97405
541.510.3915 OperationSunriseLaw@gmail.com www.RisePatriot.com
www.WellsFargoWitz.com www.DoggyMcStyleLAW.com
www.DistrictCourtOregon.com www.TheEugeneBlairProject.com

Case 6:14-cv-01103-JR Document 70 Filed 11/24/14 Page 3 of 3

DATED this 24 day of November, 2014.

Thomas M. Coffin
United States Magistrate Judge

Case 6:14-cv-01103-JR Document 68 Filed 11/24/14 Page 2 of 2

DATED this 24 day of November, 2014.

Thomas M. Coffin
United States Magistrate Judge

IT IS SO ORDERED

DATED this 30T day of November 2011.

ELAW's petition for $32,945.20 in fees.

case # not on document

THOMAS M. COFFIN
United States Magistrate Judge

Case 6:15-cv-01517-TC Document 182 Filed 06/28/17 Page 5 of 5

DATED this 28T day of June 2017.

THOMAS M. COFFIN
United States Magistrate Judge

Case 6:12-cv-01474-TC Document 48 Filed 01/15/14 Page 12 of 12

DATED this 15t day of January, 2014.

THOMAS M. COFFIN
United States Magistrate Judge

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

ANDREW G. CLARKE,

Plaintiff, 6:14-cv-01103-TC

v. ORDER

WELLS FARGO BANK, N.A.,
Et al.,

Defendants.

Coffin, Magistrate Judge.

Defendant Wells Fargo Bank N.A. has submitted the Declarations of Peter D. Urias and David C. Campbell and supporting exhibits that establish the following:

Wells Fargo has repeatedly requested plaintiff Andrew G. Clark to limit his communications regarding this lawsuit to counsel of record, and to refrain from contacting Wells Fargo directly. Despite these repeated requests, plaintiff continues to direct communications to individuals other than counsel of record, including individuals employed by or directors of Wells Fargo.

Wells Fargo now moves the court for an order limiting plaintiff's communications regarding this litigation to counsel of record and to refrain from directly contacting Wells Fargo, including its officers, directors, employees, and officers, on the ground that such conduct is vexatious, oppressive, and disruptive to this litigation. Motion for order limiting contact (#56).

Defendant's Motion (#56) is allowed. IT IS HEREBY ORDERED that plaintiff shall not contact or communicate with any officer, director, employee or other person associated with defendant Wells Fargo concerning this litigation or any other matter, without authorization by specific order of this court. All such communication shall be directed only to counsel of record. Any suggestion that plaintiff has failed to comply with the requirements of this order will result in sanctions for contempt of court, which may include dismissal of this proceeding.

DATED this 24 day of November, 2014.

Thomas M. Coffin
United States Magistrate Judge

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

ANDREW G. CLARK,

Plaintiff, 6:14-cv-01103-TC

v. ORDER

WELLS FARGO BANK, N.A.,
Et al.,

Defendants.

Coffin, Magistrate Judge.

Plaintiff *pro se* has filed what can only be characterized as a nuisance lawsuit against various defendants. Plaintiff's complaint does not comply with the minimal pleading requirements of Federal Rule of Civil Procedure 8(a) and plaintiff has alleged claims against defendants that are immune from liability or have other dispositive defenses. Moreover, the record before the court indicates that most if not all of plaintiff's claims are barred by *res judicata* or the doctrine of issue preclusion.

Several defendants have filed motions to dismiss. (#7),

(#10), (#43) and (#66). Plaintiff has filed a number of mostly improper motions, but has not responded in any meaningful way to defendants' dispositive motions.

Therefore, IT IS HEREBY ORDERED that plaintiff shall show cause in writing within 30 days of the date of this order why defendants' motions to dismiss (#7), (#10), (#43) and (#66) should not be allowed. No extensions of time to comply with this order will be allowed. Plaintiff is advised that failure to show cause as directed herein will result in the dismissal of this proceeding for failure to prosecute.

Defendant Alex Gardner and State of Oregon's Motion to Stay Discovery (#42) is allowed.

All other pending motions (#21), (#23), (26), (#36), (#38) (#41) (#45) (#46), (#48), (#49), (#50), (#51), (#52), (#53), (#55), and (#61) are denied without prejudice to request reconsideration after plaintiff has filed a response as directed herein.

Plaintiff is advised that litigation is not a game in which he can make up his own rules. *Pro se* litigants must follow the same rules of procedure that govern other litigants. Ovitsky v. Oregon, 2014 U.S. Dist. LEXIS 12892, *7-8 (D. Or. Feb. 3, 2014), *citing* King v. Atiyeh, 814 F.2d 565, 567 (9th Cir. 1987), overruled on other grounds by Lacy v. Maricopa County, 693 F.2d 896 (9th Cir. 2012).

Plaintiff is further advised that vexatious and abusive tactics will not be tolerated and may subject him to penalties for contempt of court.

IT IS SO ORDERED.

DATED this 24 day of November, 2014.

Thomas M. Coffin
United States Magistrate Judge

Judge Coffin advised Plaintiff that "litigation is not a game in which he can make up his own rules," and informed Plaintiff that proceeding *pro se* does not absolve Plaintiff of following the rules of civil procedure. Finally, Judge Coffin "advised that vexatious and abusive tactics will not be tolerated and may subject him to penalties for contempt of court."

Plaintiff made blanket objections to the entire order. *See* ECF No. 75. When either party timely objects to any portion of a magistrate judge's ruling on a non-dispositive pretrial matter, the district court may set aside any portion of the ruling found to be "clearly erroneous or contrary to law." 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a). I find Judge Coffin's Order, ECF No. 70, to be neither clearly erroneous nor contrary to law and adopt it in full. I agree fully with Judge Coffin's view that Plaintiff's action "can only be characterized as a nuisance lawsuit." Additionally, warning Plaintiff his actions could subject him to contempt of court was entirely appropriate in this instance.

IT IS SO ORDERED.

DATED this 9th day of April, 2015.

/s/ Michael J. McShane
Michael J. McShane
United States District Judge

Andrew G. Clark 3270 Stoney Ridge Rd.
Eugene, OR 97405 541.510.3915
OperationSunriseLaw@gmail.com

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

Andrew Glen Clark
Appellant

9th Circuit Case: 17-35247
Local Case No.6:14-cv-01103-JR

vs. Appellees

MOTION / DECLARATION
FILED UNDER FRAP #48
Appointment of Special Master

Emergency Filing

Wells Fargo Bank, NA Attorney of Record
Christian Rowley Seyfarth Shaw 560 Mission St. #3100 San Francisco, CA 94105
Ogletree Deakins et al c/o General Counsel Christopher Mixon 401 Commerce Street #1200 Nashville, TN 37219
City of Eugene, OR Attn: Lauren Sommers 125 East 8th Ave. Eugene OR 97401
County of Lane, OR Attn: Sabastian Tapia and Steven Dingle 125 East 8th Ave. Eugene OR 97401
State of Oregon via Attorney General Ellen Rosenblum –and-
Lane County Prosecutor Erik Hasselman via Cecil Reniche-Smith, Asst. Attorney General for Oregon 1162 Court Street NE Salem OR 97301-4096

This motion is filed under FRAP #48 to appoint a Special Master to drive this Wells Fargo Stagecoach of Progress and/or to encourage some other form of Alternative Dispute Resolution. The adversary system is a total failure and I demand it be suspended in this case at this time. Otherwise, the facts and evidence will scream; Wells Fargo will be obliterated along with attorneys, judges and anyone associated with obstructing the filings of this lowest-level Wells Fargo worker since 2011.

Wells Fargo and Company - all Involved Attorneys - Judges Take Notice

Ogletree Deakins Employment Law has a well-documented costly history of false arrest in Maricopa County AZ in the "Sheriff Joe"case. I submitted numerous news articles to the court already on paper. They are linked here: www.RisePatriot.com/theybbad.pdf.
Among those falsely arrested was the local presiding criminal judge for the county.

I was a lowest level Wells Fargo worker for the last two years of my destroyed career. I reported sales system fraud (etc.) internally to my management first in compliance with tough Securities Exchange Commission "whistleblower rules" that existed prior to 5.25.11. I filed several Ethics Line reports when ignored was literally told to "stop whining". Internal retaliation was bizarre and required reporting as a federal crime. I became a Federal Witness in May 2011 while still employed when I was admitted into the Eugene Oregon FBI office to deliver 150 pages of betting slip level evidence.

Since then I have been the victim of repeated acts of Tampering and Intimidating a Federal Witness (serious federal felonies: 18 USC 1512 and 1513). The false arrests using lied to and corrupted local police are obvious violations of 18 USC 1201: armed kidnapping of a Federal Witness. Wells Fargo via its attorneys committed major, ongoing fraud of the court case management system and corruption of state and local government processes to conceal the evidence against them. Genuine RICO was concealed in courts via corruption of government. ***Let us make Progress together.***

Otherwise, Wells Fargo, Ogletree Deakins, and Oregon State Bar Association will be sued in Federal Court under Clayton Anti-Trust Act for Violations of Sherman ATA for the corruption of government that allowed tangible evidence of "racketeering" to be concealed in the courts. **"The Rule of Reason" will be applied to facts and evidence.**

Clayton ATA is applied at the 'enterprise level'. Within the Clayton/Sherman filing, relief provisions of the RICO laws (28 USC 1964) will be applied to individual non-public actors who will all be listed and litigated. Individual public actors including judges will litigated for massive and repeated civil rights violations (42 USC 1983).

Already in PACER and our local court systems: the names of all the people (mostly attorneys) who obstructed evidence and exactly what they did as individuals to allow the criminal activity of the group to be concealed using "color of law" legal proceedings with unedited court software that prints and mails "orders". These are the court records:

6.11.cv.06248.ho Wells Fargo's Emergency SLAPP suit against me in 2011….an unemployed lowest level worker. Much of that record was wrongly sealed as part of the concealment of evidence. I was sued over nothing. Ogletree Deakins SLAPPED me after SWATTING me. That was the mediation mill and "court" of retired mediator/ judge Michael Hogan. Ogletree Deakins sealed parts of the PACER record to conceal.

6.13.cv.01546.aa 14-35622. My first damage recovery lawsuit and related appeal.
6:14-cv-01103-jr 17-35247. My second damage recovery lawsuit and related appeal.

The audio recordings and local justice system records from State of Oregon's circuit court information system. Wells Fargo and its attorneys used the unedited criminal prosecution systems here in Lane County to commit repeated false arrest.

None of the above treatment of me comports to the Wells Fargo way of doing business.

Norwest and Wells Fargo merged in 1998 and since then it has been Wells Fargo in name only. Wells Fargo was all about people and community relationships. Enlightened Wells Fargo policy and practices brought happiness and progress to the western United States. Wells Fargo had a longstanding, excellent reputation.

Norwest (and Wachovia) ruined all that and turned Wells Fargo into the Bank of Organized and Disorganized Crime. Wells Fargo will extend "Stagecoach" to its entire operation via the Rule 48 process or some other form of alternative dispute resolution. That is necessary at this time or Wells Fargo (et al) it will stop existing as its management is placed in prisons for what they allowed to happen to me and so many other Wells Fargo workers on the homeland and in the Wells Fargo India Solutions offices in Bangalore and Hyderabad who reported per law and policy.

So get aboard the New Wells Fargo Stagecoach (The Eugene Blair Project www.TheEugeneBlairProject.com) and let's talk. We are all in this together. Call me on the telephone or email. Reach your hand out into the darkness and you will find that I am a most traditional Wells Fargo Agent and the best friend you ever had. Thank you.

Signed________________________Andrew G. Clark, Plaintiff/Appellant June 7, 2019
3270 Stoney Ridge Rd. Eugene, OR 97405 541.510.3915
OperationSunriseLaw@gmail.com www.RisePatriot.com
www.WellsFargoWitz.com

Attachment B

Case No. 18-36082
IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

KELSEY CASCADIA ROSE JULIANA, et al.
Plaintiffs-Appellees, v.

UNITED STATES OF AMERICA, et al.,
Defendants-Appellants.

Amicus Curiae Briefing in Favor of United States of America et al

Left and Right, Industrialists and Environmentalists: Unite Against Fraud by Attorneys. The Obama and Trump DOJ both motioned to dismiss this atrocity. The provenance of the lawsuit is suspicious and it has nothing to do with climate change. **The "Children's Climate Change Lawsuit" is pure fraud upon the Court and all of America.**

A bunch of carpetbagger out-of-state attorneys are abusing our children and our courts to make programs like Oregon's "Low Carbon Fuel Standard" and "carbon counting" a national grab bag of fees for attorneys everywhere. Those destructive scams raised Oregon's gas prices c. 20 cents a gallon. Buried deep in the original lawsuit filed in 2015, here are the specific rulings "The Children" requested of the Court.

1. Declare that Defendants have violated and are violating Plaintiffs' fundamental constitutional rights to life, liberty, and property by substantially causing or contributing to a dangerous concentration of CO2 in the atmosphere, and that, in so doing, Defendants dangerously interfere with a stable climate system required by our nation and Plaintiffs alike;
2. Enjoin Defendants from further violations of the Constitution underlying each claim for relief;
3. Declare the Energy Policy Act, Section 201, to be unconstitutional on its face;
4. Declare DOE/FE Order No. 3041, granting long-term multi-contract authorization to Jordan Cove Energy for LNG exports from its Coos Bay terminal, to be unconstitutional as applied and set it aside;
5. Declare Defendants' public trust violations and enjoin Defendants from violating the public trust doctrine underlying each claim for relief;
6. Order Defendants to prepare a consumption-based inventory of U.S. CO2 emissions;
7. Order Defendants to prepare and implement an enforceable national remedial plan to phase out fossil fuel emissions and draw down excess atmospheric CO2 so as to stabilize the climate and protect the vital resources on which Plaintiffs now and in the future will depend;
8. Retain jurisdiction over this action to monitor and enforce Defendants' compliance with the national remedial plan and all associated orders of this Court; and 9. Grant such other and further relief as the Court deems just and proper.

Why did this case end up in Eugene, OR? It appears the original lawsuit was allowed in the court by one of the clerks who affixed Judge Coffin's signature to it. It is hard to tell as there are several distinctly different signatures of Judge Coffin used in various cases. The combination of facts indicates Eugene Oregon's District Court is more of a major crime scene than a court as known to the United States of America.

The United States District Court for Oregon is one of 94 US district courts. The district operates out of courthouses in Portland, Eugene, Medford, and Pendleton indicating there are hundreds of courthouses that could have hosted the case. Eugene's court has no experience in such major litigation and almost all the involved parties are from places other than Oregon. I think most rational adults would immediately conclude that the children did not conceive of the lawsuit, write any part of it, and would be unable to meaningfully relate the specific rulings they asked for in 2015 to the future climate. Then they would see the children are victims of child abuse by attorneys pimping them out to all of America in exchange for legal fee billings we pay for in our gas prices.

The Court, the DOJ, and/or President Trump must order an immediate investigation of the Eugene Oregon District Court. The correct agency appears to be the Secret Service due to their unique mandates and abilities to combat complex system fraud. I presented to the same court and the same judge in the same timeframe absolutely perfect factual pleadings and a complete evidence package including official police and court audio/video evidence. The case involves extraordinary banking employment retaliation after delivering 'betting slip level' evidence of sales system abuse, shoddy sales practices, and a retaliatory internal reporting system to our local Federal Bureau-Investigation office. Then Wells Fargo used attorneys to arrange a totally false arrest. The same attorneys also used false arrest in the Sheriff Joe Arpaio case, a collection of news articles of that debacle is posted at www.RisePatriot.com/theybbad.pdf. **Eugene's court obstructed and concealed evidence and appears to be a national "go-to" court when attorneys want illegal activity blessed by a court, most likely because it is operated by a gaggle of conniving clerks cheating the system.** Meet me in a SWAT police car. Hear SWAT police in my home. Hear them calling Wells Fargo. **www.RisePatriot.com** or, **www.WellsFargoWitz.com**. It was all obstructed and concealed in Eugene's court by unseen court clerks manipulating data and systems.

And while Secret Service is investigating and arresting attorney-perpetrators they can do likewise (in spades) with treasonous attorneys who "weaponized' the legal system against President Trump and orchestrated the nation-ending "death by a thousand cuts" attack. Keep in mind that Obama's administration also motioned to dismiss the lawsuit and was not hassled about it. Yet, on December 28, 2016, Plaintiffs served a Notice of Deposition for Rex Tillerson. At the time, Mr. Tillerson was a member of the Executive Committee of the Board of Directors and a former Chairman of Intervenor Defendant American Petroleum Institute, as well as Chairman and CEO of API member ExxonMobil. On February 9, 2017 Plaintiffs filed a motion to substitute Donald Trump in place of Barack Obama as a named plaintiff. Since then, this case and others have been used in attempts to destabilize and distract President Trump's administration including the Ninth Circuit Court of Appeals cynically calling "climate change" an emergency so urgent that it required a near immediate response despite a government shutdown; the lawsuit looks to possibly reduce Co2 in the air by the year 2100.

In a most general sense, many of the problems were examined in a 2015 Supreme Court Case "Yates v. United States". That case is absolutely landmark. The Honorable Judge Ruth Badar Ginsburg wrote the opinion for the majority in the divided case. Most gracefully, Justice Ginsburg screamed warnings against our all-consuming, unregulated legal industry. I am not so graceful. ***Until your jail door shuts on a false and arranged basis as mine ... it probably sounds crazy to label our legal system as "The Structure of Holocaust" or a "Computerized Soviet Show Trial System"***.

Signed Andrew Clark 3270 Stoney Ridge Rd. Eugene OR 97405 5413.510.3915
OperationSunriseLAW@gmail.com **www.TheEugeneBlairProject.com**